MYSORE LAND REFORMS BILL—197
(Introduction*)

SRI N HUCHMASTI GOWDA.—I beg to introduce the Mysore Land Reforms (Amendment) Bill, 1972.

MR DEPUTY SPEAKER.—The Bill is introduced.

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ.— ಈ ಕಾನೂನಿನಿಂದ ಗೇಣಿದಾರರಿಗೆ ನಿರಾಸೆ, ಇದರಿಂದ ಆ ಗೇಣಿದಾರರಿಗೆ ವಂಚನೆ, ಗೇಣಿದಾರರಿಗೆ ಮೋಸ... ..

ಶ್ರೀ ಕೋಣಂದೂರು ಲಿಂಗಪ್ಪ.— ಇದನ್ನು ಬಂಡವಾಳಶಾಹಿಗಳ ಪರವಾಗಿ, ಅವರ ಪರವಹಿಸಿ ತಂದ ಹಾಗೆ ಕಾಣುತ್ತಿದೆ. ಇದರಿಂದ ಗೇಣಿದಾರರಿಗೇನು ಅನುಕೂಲವಾಗುತ್ತದೆ ?

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ.—ಕೊಟ್ಟ ಮಾತನ್ನು ಉಳಿಸಿಕೊಳ್ಳದವರು ಇವರು. ಇದು ಒಂದು ಪ್ರಗತಿಪರವಾದ ಜಿಲ್ಲೇ ? ಇವರು ಗೇಣಿದಾರರಿಗೆ ವಿಶ್ವಾಸ ದ್ರೋಹ ಮಾಡಿದ್ದಾರೆ. ಇದನ್ನು ಪುನರ್ ಪರಿಶೀಲನೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

SRI B. V. KAKKILAYA.—I request the Hon. Minister to reconsider the whole thing and bring in a revised Bill on the 14th.

(Interruptions)

MR. DEPUTY SPEAKER —No useful purpose would be served by shouting. The hon. members can give their opinion when the Bill is taken up for consideration.

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ.—ಲಕ್ಷಾಂತರ ಜನರಿಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಷಯದಲ್ಲಿ ಇಷ್ಟೊಂದು ಕಳಕಳಿಯಿಂದ ಹೇಳುವಾಗ ಗಮನ ಕೊಡಬೇಡವೇ ? ನಾಲ್ಕು ಮಾತು ಹೇಳಲು ಅವಕಾಶ ಕೊಡಬೇಡವೇ ?

MR. DEPUTY SPEAKER.—It does not concern only lakhs of people but crores of people.

ಶ್ರೀ ಸಿ ಬೈರೇಗೌಡ.—ಕೇವಲ ನಾಲ್ಕು ತಿಂಗಳಲ್ಲಿ ಭರವಸೆ ಕೊಟ್ಟಿದ್ದನ್ನು ಮರೆತಿದ್ದಾರೆ. ದಯವಿಟ್ಟು ಈ ಬಿಲ್ಲನ್ನು ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕು.

MR DEPUTY SPEAKER.—The hon. member will please resume the seat. Rules should be followed in their spirit. Some hon. members are trying to be heroic.

ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ.—ನಾವು ಯಾವಾಗಲೂ ರೂಲ್ಸ್‌ಗೆ ವಿರೋಧವಾಗಿ ಹೋಗುವವರಲ್ಲ.

SRI B. V. KAKKILAYA. —Before you call the Minister we want to make a request to delay the introduction of this Bill.

MR DEPUTY SPEAKER —I know Sri Kakkilaya is a sobre member. But things cannot be rushed through by shouting,

SRI B. V. KAKKILAYA.—We have not indulged in shouting.

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*Bill appended as annexure

MR. DEPUTY SPEAKER.—Now, the Hon. Minister of State for Food and Civil Supplies may make her statement which she wants to make.

Statement by Minister of State for food and civil supplies

re : prices of food grains in the State

ಶ್ರೀಮತಿ ಇ. ಇ. ಪಾಜ್.—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ. ನಾನು ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡುವ ಮೊದಲು ಈ ಒಂದು ಅಂಶವನ್ನು ತಿಳಿಸುತ್ತೇನೆ. ಶ್ರೀಮಾನ್ ಸಿದ್ಧಪ್ಪನವರು ಅರಸೀಕೆರೆ ಗೋಡೌನಿನಲ್ಲಿ ಹುಳಬಿದ್ದ ಗೋಧಿ ವಿತರಣೆ ಮಾಡುವ ವಿಚಾರ ಪ್ರಸ್ತಾಪಿಸಿದರು, ಅದನ್ನು ವಿಚಾರ ಮಾಡಿ ತೀವ್ರ ಕ್ರಮ ಕೈಕೊಳ್ಳುತ್ತೇವೆ ಎಂಬ ಭರವಸೆ ಅವರಿಗೆ ಕೊಡುತ್ತಿದ್ದೇನೆ. Now, I would like to make the following statement :—

The Food policy of the State Government which is in consonance with the food policy of the Government of India aims at the building up of buffer stocks of staple foodgrains with a view to arrest the rise in prices and to make available foodgrains at reasonable prices to consumers, in particular to the vulnerable sections of the society. In pursuance of these two fold objects, Government have embarked on the procurement of foodgrains from the year 1964-65 and have opened fair price shops numbering more than 10,000 throughout the State. The Deputy Commissioners have been instructed to open fair price shops freely wherever necessary, particularly in inaccessible areas.

During the crop year 1971-72, Government decided to procure 1 lakh tonnes of paddy and 30,000 tonnes of jowar. As against these targets 61,000 and old tonnes of paddy and 2,667 tonnes of jowar have been procured. The procurement operations have not proceeded as expected due to the intervention of the General Elections. The procurement of jowar is too meagre mainly due to the failure of jowar crops in the jowar growing districts.

Informal Rationing system has been continued in the cities of Bangalore and K.G.F, and adhoc distribution system in the remaining parts of the State. Rice, jowar, wheat and sugar are being supplied through fair price shops. The end issue prices of these commodities are as under :—

		Rs.	
Rice Fine	...	120	per quintal
Rice Midfine	...	115	do
Rice Medium	...	109	do
Rice Coarse	...	103	do
Wheat	...	88	do
Jowar	...	75	do
Sugar	...	205	do

The table given below indicates the prices of commodities mainly consumed by the lower strata of the society as prevailed in the last week of July, 1971 and as on 3-8-1972 ;—

	July 1971	3-8-1972
Rice	1—33	1—30
Medium	1—45	1—50
Jowar	0—80	0—80
... ...	1—00	1—15
Ragi	0—70	0—75
... ...	0—85	0—85
Wheat	1—00	1—15
... ...	1—35	1—25
Bajra	0—70	0—88
... ...	0—80	0—90
Tur Dhal	1—90	1—80
... ...	1—95	2—10
Bengal gram	1—20	1—35
... ...	1—60	1—40
Groundnut Oil ...	4—05	4—40
... ...	5—00	4—50
Sugar	1—83	3—45
...	1—95	3—50

A close study of these figures reveals that there has been no abnormal increase in the prices of these commodities except in respect of rice, jowar, bajra and groundnut oil in respect of which the price increase is marginal. However, there is abnormal rise in the open market sugar.

The stocks of rice available at the disposal of the State Government are just sufficient to meet the requirements of public distribution system at the present scale of supply. Anticipating the increased strain on the public distribution system during the lean period, the State Government have approached the Government of India for allotment of 15,000 tonnes of rice from the Central pool. This request is under the active sympathetic consideration of Government of India. In fact, the Government of India have allotted 2,000 tonnes of rice as a first instalment. With the additional stocks received from the Government of India, the State Government propose to pump in more rice through fair price shops so as to neutralise the open market prices. The stocks of jowar are very meagre and efforts made to purchase jowar outside the State have proved futile. In the circumstances, Government are left with no alternative but to have recourse to the supply of wheat to meet the deficit in jowar. In fact, the anthorities of the FCI at Bangalore have already agreed to make available any quantity of wheat required for distribution through public distribution system and the Deputy Commissioners of Northern districts where jowar is the main staple food have been directed to ensure that wheat in

(ಶ್ರೀಮತಿ ಇ. ಇ. ಪಾಜ್)

adequate quantities is made available for sale in all the fair price shops under their control. A press Note has been issued informing the consumers of the jowar growing di tricts of the availability of wheat in adequate quantities in fair price shops for sale at a price of 88p. per Kg. Similarly, the Deputy Commissioners of other Districts have also been instructed to indent for additional supply of wheat, if necessary.

Our State is not self-sufficient in the matter of pulses. Major portion of the requirement in the matter of pulses are met by normal trade channels. The increase in the price of pulses appear to be an all-India phenomena due to the present dry spell. Government have kept a keen watch on the situation and would think of remedial measures at the appropriate time.

The State Government is getting the sugar allotment under the Levy Sugar Supply (Control) Order, 1972 and sugar is being distributed to domestic consumers through fair price shops at a rate of Rs. 2-05 per Kg. The abnormal rise in the open market price of sugar has not at all affected the domestic consumers who get their requirement from fair price shops.

In addition to the measures indicated above the authorities of the Food and Civil Supplies and the Police Department have been instructed to enforce the provisions of the orders made under the Essential Commodit es Act, 1955 strictly. The police authorities have in particular been instru ted to crack down on hoarders, black-marketers and smugglers. In addition, check posts on the b rders have also been alerted to be more vigilant against the smuggling of foodgrains outside the S'ate.

12—00 NOON

SRI H. S. SIDDAPPA.—We are glad that the Hon'ble Minister of State for Food is arranging to get lot of rice from the Central Government. I humbly request that the rice should not pass on to the hoarders again but it must reach the consumers.

ಶ್ರೀ ಕೆ. ಎಂ. ನಾಗಣ್ಣ.—ಮಾನ್ಯ ಅರ್ಥಮಂತ್ರಿಗಳು ನಾನು ಹೇಳಿದುದನ್ನು ಅರ್ಥಮಾಡಿಕೊಂಡಿಲ್ಲ ಎಂದು ಕಾಣುತ್ತದೆ. ಆಹಾರ ಸರಬರಾಜು ಬಗ್ಗೆ ಏನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದಾರೆ ಎಂದು ಕೇಳಲಿಲ್ಲ ನನ್ನ ಪ್ರಶ್ನೆ ಏನೆಂದರೆ ಬೆಂಗಳೂರು ಪೇಟೆಯಲ್ಲಿ ದಿನಸಿ ಬೆಲೆ ಜಾಸ್ತಿ ಏರುತ್ತಾ ಇರುವುದರಿಂದ ಅದನ್ನು ಕಡಿಮೆ ಮಾಡಲಿಕ್ಕೆ ಏನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ ಎಂದು. ಹಿಂದೆ ಫೇರ್ ಪ್ರೈಸ್ ಷಾಪ್‌ನಲ್ಲಿ ೧೦ ಜನರು ಇದ್ದ ಸಂಸಾರಕ್ಕೆ ೪೦ ಕೇಜಿ ಅಕ್ಕಿ ಕೊಡುತ್ತಾ ಇದ್ದುದು ಈಗ ೧೦ ಕೆಜಿ ಅಕ್ಕಿ ಕೊಡುವುದಕ್ಕೂ ಸಾಧ್ಯವಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಕಾರಣ ಅಕ್ಕಿ ಸಪ್ಲೈ ಆಗುವುದಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಇದರಿಂದ ಬಜಾರ್‌ನಲ್ಲಿ ಅಕ್ಕಿ ರೇಟು ಜಾಸ್ತಿ ಆಗುವುದಕ್ಕೆ ಕಾರಣವಾಗುತ್ತದೆ. ಆದುದರಿಂದ ಇದನ್ನು ತಡೆಗಟ್ಟುವುದಕ್ಕೆ ಏನಾದರೂ ಸೂಚನೆ ಕೊಡುತ್ತೀರಾ ಎಂದು ಮಾನ್ಯ ಮಂತ್ರಿಗಳನ್ನು ಕೇಳಿದೆ. ಆದನ್ನು ಅವರು ಸರಿಯಾಗಿ ಗಮನಿಸಲಿಲ್ಲ. ಮತ್ತು ಬೆಂಗಳೂರಿನಲ್ಲಿ ಆಹಾರ ದಿನಸಿ ಬೆಲೆ ಜಾಸ್ತಿಯಾಗುತ್ತಾ

ಇರುವುದನ್ನು ತಡೆಗಟ್ಟಲಿಕ್ಕೆ ಯಾವಾಗ ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತೀರಿ ಎಂದು ಕೇಳಿದ್ದಕ್ಕೆ ಅಪ್ರೋಪ್ರಿಯೇಟ್ ಟೈಂ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ನಾಲ್ಕು ಜನ ಸೀಮೆಯೆಣ್ಣೆ ಪಾಕೆಟ್ಟುಕೊಂಡು ಸುಟ್ಟುಕೊಂಡು ಸತ್ತರು. ಆದ್ದರಿಂದ ನಾನು ಕೇಳುವುದು ಏನೆಂದರೆ ಅಪ್ರೋಪ್ರಿಯೇಟ್ ಟೈಂ ಎಂದರೆ ಯಾವಾಗ? ಈಗ ಏರಿಹೋಗುತ್ತಾ ಇರುವ ಆಹಾರ ದಿನಸಿ ಬೆಲೆಗಳನ್ನು ಇಳಿಸಲಿಕ್ಕೆ ತಕ್ಷಣವಾಗಿ ಏನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ ಎನ್ನುವುದನ್ನು ಹೇಳುತ್ತೀರಾ ?

SRI V. N. PATIL.—Has the Government collected information as to how much wheat is required for North Karnataka, area where jawar is the staple food and how much quantity has been supplied to the Deputy Commissioner ? What machinery the Government has to distribute wheat through fair price shops, service co-operative shops or Grama Panchayats, and whether it has come to the notice of the Government that jawar is sold in the area at Rs. 1-35 to Rs. 1-55 per kg., and the steps proposed to be taken to provide at least wheat, if not jawar, at 0 88 paise per kg. ?

SRI C. M. ARUMUGAM.—Whether the Hon'ble Minister is aware that the price of essential commodities like rice, ragi, jawar, oil, chillies, sugar and dhal has gone up by 25 to 30 per cent ? Bangalore is an air-conditioned City, and I understand that people from Kashmir have applied for sites in Palace Orchards and Jayamahal extentions. Here, sugar is being sold at Rs. 3-50 per kg. Even the levy sugar and essential commodities are not being distributed properly by the fair price shops to the consumers. Certain officers of the Food Department have managed to remain in Bangalore for more than 10 years, and when they are transferred they go the Ministers and try to remain in Bangalore with the help of black-marketeers. These black-marketeers are protected by the Government.

SRI D. DEVARAJ URS (Chief Minister).—I can assure the hon. member that he can rely on us that we will never protect any black-marketeer under any circumstances however high the influence might be.

SRI C. M. ARUMUGAM.—There is failure of monsoon and the prices have gone up. I want to know whether there is any check on the fair price shops, at least in Bangalore, by the Director the Joint Director and other officers of the Food Department ?

SRI D. DEVARAJ URS.—Sir, in this connection, I wanted to make a statement on the scarcity conditions about what steps Government have taken and what steps we propose to take further. Perhaps, if I speak on that, I think most of the points raised with regard to the food position and other things will also be covered. After the Hon'ble Minister of State for Food replies to the clarifications, if you will kindly permit me I want to make a statement.

SMT. E. E. VAZ.—With regard to the clarification sought for by the hon. member Sri H. S. Siddappa, I wish to state that we shall take every precaution to see that it does not go to the hoarders and that we will be more vigilant.

(Smt. E. E. Vaz)

ಶ್ರೀ ನಾಗಣ್ಣನವರು ಬೆಲೆಗಳನ್ನು ಏಕೆ ಇಳಿಸುವ ಪ್ರಯತ್ನ ಮಾಡಬಾರದು ಎಂದು ಕೇಳಿದ್ದಾರೆ. ಕೇಂದ್ರ ಸರ್ಕಾರದಿಂದ ಅಕ್ಕಿಯನ್ನು ಕೇಳಿದ್ದಕ್ಕೆ ೨ ಸಾವಿರ ಟನ್ ರಿಲೀಸ್ ಮಾಡಿದ್ದಾರೆ ಮತ್ತು ಇನ್ನೂ ಜಾಸ್ತಿ ಕೊಡುವ ಭರವಸೆ ಕೊಟ್ಟಿದ್ದಾರೆ. ಅದು ಬಂದ ನಂತರ We will see that more and more is released to the Fair price Shops. ಬೆಂಗಳೂರು ನಗರದಲ್ಲಿ ಮಾತ್ರವಲ್ಲ, ರಾಜ್ಯದ ಎಲ್ಲ ಕಡೆಗೂ ಎಷ್ಟು ಬೇಕೋ ಅಷ್ಟು ಕೊಡುತ್ತೇವೆಂದು ಡೆಪ್ಯುಟಿ ಕಮೀಷನ ಗೆ ತಿಳಿಸಿದ್ದೇವೆ.

Sugar is being sold through the Fair Price shops at Rs. 2-05 per kg. In order to keep the sugar prices under check, we are releasing the sugar for domestic purposes through the Fair Price Shops.

SRI C. M. ARUMUGAM.—Why don't you control it?

SRI D. DEVARAJ URS.—Out of the total production, a certain percentage is left to the mill Owners. About 60 per cent is taken to the Government control and sent through the fair price shops. The remaining 40 per cent is given to the mill owners and they are free to sell it in the open market. That is the Government of India Policy.

SMT. E. E. VAZ.—Hon. Member, Sri Patil wanted to know whether Jowar is the staple food of Northern Districts. The jowar collected in the northern districts has been released to those districts. The other districts do not require jowar. In Hubli, we are having 2672 tonnes of jowar in the godowns. We are distributing the jowar to the northern districts as noted below.

Gulbarga	...	698 tonnes,
Raichur	...	95 tonnes,
Bellary	...	358 tonnes.

Besides, we are releasing large quantities of wheat to those districts. I am sure with this assurance, our Hon. Members will be convinced that we are trying our best to bring down the prices. We will make every effort to bring down the prices.

(Madam Speaker in the Chair)

Statement by the Chief Minister :

Re : Scarcity Conditions in Several Parts of the State.

SRI D DEVARAJ URS (Chief Minister).—I wanted to take this opportunity to make a statement regarding the situation in the state arising out of the failure of rains in many parts of the State. Of course, more than once, the question has been raised on the floor of this House and also on the floor of the Upper House and the Minister concerned—the Revenue Minister, has made statements giving facts and figures and in addition to the statements I have also said certain things. I think I can make use of this opportunity again

before the Assembly adjourns so that it would be possible for all the Hon. Members to know the steps Government have taken and when they go to their respective areas, they shou'd be in a position to ask the local officers to take up relief works wherever works to be taken up and wherever the conditions are bad for want of rains. Therefore I have sought your permission to say Certain things about the situation and I thank the Chair for the indulgence shown to me to make the statement.

As you are aware, a statement in the Legislative Assembly was made by the Revenue Minister on 1st August 1972 indicating the actual position as on 29th July 1972. Roughly he has also mentioned the several districts which have been offected *viz.*, Bijapur, Belgaum, Gulbarga, Bidar, Raichur, Bellary, Dharwar, Kolar, Bangalore and now perhaps at this distance of time there might be many more districts which might have been affected by scarity conditions. For instance, in Chitradurga District, there is a report that one or two talukas are badly affected ; the conditions in Tumkur District are also ditto and in Mysore District also, the position is likewise. As days pass by and as we do not get rains, the conditions go on deteriorationg even in places where we expect them to be normal. So, If I have not mentioned the details of the Talukas, it does not mean that Government is not aware of or are not going to take any action excepting in plaees about which mention was made. So, I want to disabuse the mind of Hon Members here who might be under an apprehension that though their Talukas affected they are not included and Government do not propose to take any action.

I will first enumerate the steps that have been taken and to that effect Government orders have already been passed. I have instructed the concerned Department to give a copy of all the Government orders that have been passed within these 8 days with a view to take immeditate positive steps to fight this drought conditions. I am given to understand that the copies of thers orders have been clubbed together and are made available to the Hon. Members of this House. If the Members have not received them already, they will be receiving them shortly.

A sum of Rs. one crore has been released for taking up relief works in the affected areas. That is the latest position. In addition to this, a sum of Rs. 50 lakhs under Takavi loans for grant of loans to the raiyats for the purpose of puchase of fodder in affected areas is also released. Now, I wish to mention that between these two items of work *viz.*, the relief works comes under "64 Famine Relief Wooks" in the affected areas plus the takavi loan of Rs. 50 lakhs, it comes to about Rs. 1½ crores.

(Sri D. Devaraj Urs)

Now, we have taken a decision to increase this 1½ crores to three crores It means that instead of 1½ crores for these two items of relief work, it will be three crores. Then the Land Development Bank is implementing a programme of granting loans for sinking 4,000 wells in the affected areas. For each well, the programme is to give 5,000 rupee's loan for sinking the well and in addition, a sum of Rs. 3,500 will be given, as loan, to the man who becomes the recipient of the 5,000 rupees' loan to purchase pumpsets. That means, between sinking a well and purchasing pumpsets an individual will be getting 8,500 rupees. This is arranged through the State Land Development Bank.

Then, instructions have been issued to take up deepening of wells, wherever scarcity of water is being felt. The expenditure on deepening of wells has been raised. It was one thousand rupees formerly. Under this programme, to give immediate relief to the suffering people, for one drinking water well, there was a Government order to allow 1,000 rupees; this is in respect of one work of deepening any existing well or to dig any new well in the tank bed and other places. That was later on raised to 2,000 rupees; now, have raised this upper limit of expenditure on one item of work *viz.*, either fer deepending a well or to dig any new well in any area, where they think they can get water, from 2,000 repees to 3,000 rupees. In every District the Deputy Commissioners have been given specific instructions not to refuse any work, so far as these depening of wells or of opening new wells for the purpose of providing drinking water th the people, is concerned. There is no limit prescribed for this. If there are thousand wells required, they must go on with that programme

SRI M. K. KULKARNI.—Weat about the drinkitg water tanks in Navalgund Taluk and the measures to be taken in respect of desilting the tanks ?

SRI D. DEVARAJ URS.—That can be taken up under Minor Irrigation Programme. If the 'Kattas', 'Hondas' 'Gundis' have to be repaired that also will be taken up. These are called 'Katte, Honda and Gundi' and they are being utilised both by cattle and men.

SRI R. V. RANGANA GOWDA.—ಎಲ್ಲೆಲ್ಲಿ ಬಾವಿಗಳನ್ನು ತೆಗೆಯಲಿಕ್ಕಾಗುವುದಿಲ್ಲವೋ ಅಂಥ ಕಡೇ ಕೆರೆಗಳನ್ನು ಪ್ರೊವೈಡ್ ಮಾಡುತ್ತೀರಾ ?

ಶ್ರೀ ದೇವರಾಜ ಅರಸ್.—ಕೆರೆ ಅಥವಾ ಹಳ್ಳಗಳಲ್ಲಿ ಗುಂಡಿಗಳನ್ನು ತೋಡಿಸಿ ಎಂದು ಡೆಪ್ಯುಟಿ ಕಮಿಷನರ್‌ರವರಿಗೆ ಹೇಳಿದ್ದೇವೆ. Then the Deputy Commissioners of the Districts are being instructed to arrange for supply of fodder. But here I have my own views about it, in the sense that it may not be possible to supply every area This supply involves handing by so

many people in between purchase and issue points. So, I have stated that the best thing it to give loans to such of those persons who want to buy fodder—as takavi—and arrange for transport.

Soil Conservation Works.—This is one of the best ways of giving relief; in almost every village, we can take up soil conservation work. About 150 Diploma holders in Civil Engineerin are being taken as Technical Assistants to enable soil conservation work being taken up in new centres in the affected areas. Soil Conservation work was suffering for want of trained personnel. Now, the work is going on, but we want to speed up the Soil Consevation work. For this we want more and more hands, at local level. We have, therefore, taken a decision to appoint temporarily about 150 Diploma holders and give them 15 days' training and then put them on the job.

The Department of Food Supplies have made arrangements to open Fair Price Shops to supply foodgrain at cheaper prices. Now, in this connection, I would like to mention the apprehension that was expressed by some Hon. Members here that the prices of commodities are going up. It is true. As the Food Minister pointed out, wheat is available in any quantity. If the Bangalore citizens are not in a position to get such rice as was being given previously, I am afraid we are not in a position to help them now, by giving rice. The quantum of rice that wae being issued has been reduced. The reasons for this are as follows. With the available quantity with us as well as the quantity that is likely to be recived by us from the Food Corporation, we have to hold on the stocks for some more months. Suppose we issue at the rate of 40 Kgs., as was being done previously, then we will run short of the stock and Mr. Naganna will appreciate the point that this drought condition is not only in Mysore State, but it has spread throughout the length and breadth of India. There are twelve to thirteen States which come under 'drought affected areas'. So, the position is not so easy with regard to rice. Therefore, we have to necessarily reduce the quantum of rice that was being issued but in its place, we are prepared to give the same quantity of wheat. And, our people here must be prepared to alternatively take wheat and make use of it. The same wheat will be made available at Taluka levels as well. There was some complaint—as was pointed out by Mr. Patil—that there is delay in the supplies. There might be some delay. You will appreciate that that this delay is not because Government is not moving in the matter; it is an inbuilt delay in the sense that the transport has got to take sometime. We will see that the transport movement is quickened and every Taluk gets certain quantity of foodgrains either in the form of wheat or jowar if it is available. Even in respect of jowar, the position is not so happy. We have got to make available jowar. We are not in a position to get jowar elsewhere even from the Food Corporation, because they do not have much stock of jowar.

(ಶ್ರೀ ಡಿ. ದೇವರಾಜ್ ಅರಸ್)

Now, in addition to merely supply of wheat and other things, we have said that wherever there are not proper facilities to issue these food grains, the Deputy Commissioner should take steps to open more fair price shops. Now there are about,—I think it was given to the House, that nearly 10,000 fair price shops all over the State. Even if it is a matter of opening more fair price shops, we will see that they are opened in impened in important village centres, and hobli headquarters are aleady having them. We have not restricted the discretion of the Deputy Commissioners in this matter. If the Deputy Commissioner thinks that in particular area another 20—30 points are still to be covered by opening fair price shops, he can go ahead without waiting for any orders from the higher autorities. It is in his full discretion.

Another point is, Madam Speaker, and this is a point which every body knows—in India, in our State, in districts and in taluks at any level, some increase in prices—escalation of price, as it is called will be there, not merely becase there is shortage of essential commodities, though partly it is due to that, but mostly it is because of the hoarders and black marketers. This is just an occasion when a section of the society who are classified as traders or business men, it is they who want to exploit the situation to their advantage. May be, out of 100, it will not be wrong if I say, may be a small percentage of honest people may be there. That is a very small percentage, so much so, their number does not make any appreciable dent on the situation obtaining. On the other hand ninety per cent of these people have been waiting for this opportunity to make as much money as possible. It is they who take full advantage of this situation and go on raising prices. Of course, I have been in Government for some time. I have been outside the Government continuously for a long time, except for a small break of about 2 years in the ruling party. Ever since we are in this position, as Government, we have been saying, that we are going to take drastic steps against the black-marketers. one each time, we say that, the black-marketers thrive That is the anomaly ! I am trying to be frank about this I know why M Armugam was apprehensive about the Government taking drastic steps Madam Speaker, I think I will not be wrong in saying and the House also will agree with me that most of the black marketers have control, some times over the Government and always over the society.

SRI C. M. ARMUGAM.—You are perfectly correct

SRI D. DEVARAJ URS —and there are so many spheres of influence—they influence the officers, they influence some times even Ministers. They influence even members. I did not like to say that, because I thought I would be misunderstood by the House. This is

a malady which is there not only now, but from the very beginning. Now that the whole society, the very fabric as such of the system of trading as it exists today, is such tnat I might have to say that it is a very difficult proposition. Even if I were to say tnat I am going to take drastic steps, I may find it extremely difficult for Government alone to handle this situation. I am not going to make that statement that Government will take every step to put down these people. though that is our intention. I am at least one of those who are fullb aware of all aware of all weak points of the system, and having been aware of the weaknesses I hesitate to make that statement; because one I make that statement, I must have the confidence that we are going to implement it fully. You might ask me: has not the Government that confidence or strength? Though the Government has Government has that strength, I want the fullest co-operation from every Hon'ble Member of this House I want their co-operation not merely to say "Government might take any action it likes and we as members are not going to come in the way and we are not going to influence on behalf of X or Y.

What I wanted to impress on the minds of Hon'ble Members of the House was this: that they must also co-operate with me to identify these people. That is an important factor. You make an experiment: you identify them and if the Government fails to take action, then you have every right to condemn the Government on the floor of this House. So I would appeal to the Hon'ble Members here to kindly put forth their efforts in their respective regions to help the Government in identifying these people and then I promise we will take all possible steps against the hoarders and black-marketers. This is one of the ways either to bring down price line or to hold the price line as we call it in economic terms.

Then, the Food Corporation of India has been able to build up buffer stocks of wheat at Hubli, Gulberga and Raichur so that it may be distributed to drought affected areas. So far we had no buffer stocks in these regions. Now for easier and quicker movement to make available these foodgrains at the taluka level, we have decided to keep stocks in these areas and I think these stocks must have moved by now. I will ask the concerned authorities to verify if the stocks have moved. Otherwise, we will take steps to move it quickly. Railways will be approached to make available the necessary waggons to move wheat to scarcity areas.

The Public Works Department has passed orders to take up all budgetted works in the Bijapur District. The P.W.D. will issue similar orders in respect of other areas, so that the Hon'ble Members coming from the different regions may not feel, that their areas are neglected or omitted Orders will be issued to cover other areas from the P.W.D. asking them to take up all budgetted works.

(Sri D. Devaraj Urs)

I forgot to mention one point. These Fair Price Shops will be opened wherever relief works are taken so that it can be easy for labourers and people to buy foodgrains at the nearest place.

Now, I would like to give broadly the amount under different heads for different works to be spent or proposed to be spent by the Government. It is like this :

Under "64—Famine," for relief works orders have been passed to keep at the disposal of the Divisional Commissioner of Bangalore Rs. 20 lakhs and Rs. 10 lakhs for fodder loan As I stated earlier, all these figures which I am mentioning—we should read them as being doubled because Rs. 1½ crores is going to be doubled to Rs. 3 crores. If it is Rs. 20 lakhs, it will be Rs. 40 lakhs. For Belgaum Division, we have placed Rs. 40 lakhs ; for Gulbarga Rs. 25 lakhs, and for Mysore Division Rs. 15 lakhs. So, for Belgaum Division it will become Rs. 80 lakhs for Gulbarga Rs. 50 lakhs and for Mysore Division Rs 30 lakhs. Under fodder loan, for Bangalore it was Rs. 10 lakhs, it is going to be Rs. 20 lakhs, for Belgaum Rs. 20 lakhs, and it will become Rs. 40 lakhs, and for Gulbarga Rs. 12½ lakhs, which is going to become Rs. 25 lakhs, for Mysore Division Rs. 7½ lakhs is going to become Rs. 15 lakhs. This sum of Rs. 3 crores is separate and apart from the works that we are going to takeup under the normal budgeted items normally. We have soil conservation works, minor irrigation works, afforestation work and lastly road construction work. For all these four items of work, in the affected areas, we are likely to spend about Rs. 7 crores and odd. The whole amount comes to Rs. 15 crores. Out of this sum of Rs. 15 crores we are dividing to half the State and it comes to Rs. 7½ crores. This is in addition to the sum of Rs. 3 crores I mentioned just now. I wish to repeat that out of this sum of Rs. 15 crores, you may roughly take it that a sum of 7½ crores will be available for these affected areas.

Then we have what is called this Crash Programme. You are aware that already these Crash Programmes are carried out by two agencies : Partly (1) by Taluk Board and (2) by the Land Army. We are going to take up schemes from both these agencies costing nearly Rs. 3 crores for one year. That means : Rs. 3 crores work will be taken up all over the State. This work is not taken in two or three taluks. This Crash Programme work will be taken up in all the Taluks because if you confine this only to the affected areas, you may take it as only half-work. It may also so happen that you have to take up more works in one taluk, we do not mind it. On an average, it comes to Rs. 1½ lakhs per taluk. Even if it is Rs. 3 lakhs, it does not matter, it may be taken up I am giving a rough idea. In some areas if people are willing, we shall increase it by another lakh.

There are drinking water well schemes in the Budget for those villages which have ny wells. We are going to provide Rs. 1½ crores in the Budget. If it means providing another Rs. 1½ crores for this year we are going to provide another Rs 1½ crores for drinking water wells. I think the House will agree that we must give top priority for supplying water to the people.

Madam speaker, in this way Government have proposed to spend money to meet the present situation of scarcity.

Now we have asked the Government of India to give us an overall assistance of nearly Rs. 13 crores. For Minor Irrigation Rs. 3 crores, for Relief Works Rs. 5 crores, for Sinking drinking water wells using rigs 1 crore, for takavi loans Rs. 2 crores, share capital to Mysore State Land Development Bank for construction of irrigation wells Rs. 1 crore, subsidy for purchase of fodder and food Rs. 50 lakhs, deepening of wells Rs. 50 lakhs. We have requested the Central Government to release 50 per cent of this amount asked for to meet the present situation pending assessment of the whole situation by sending the Government of India team to our State, and then release the rest after the assessment is made.

We have also ordered the concerned to take up this programme of feeding the vulnerable section; that is, the pre-school children, nursing and expectant mothers in the affected areas. That programme should have stopped at the end of June. But we have asked the local Officers to continue this Programme of feeding all these vulnerable sections to the end of this year.

So, I think I have given you roughly a picture of the situation as well as the steps that Government have taken and they propose to take.

In addition, lastly I hope all our Members are getting back to their respective areas. I appeal to them to get back because some may stay on. I appeal to them to go back to their respective constituencies and Taluks because this an extraordinary situation. After returning they have a right to ask the local officers to move about and take up this work on war-footing and with post-haste.

In case there is any failure on the part of these officers—I would request the Hon. Members to immediately inform the Government about it and I assure that prompt action will be taken to see that the officers function effectively and quickly and failure on their part will be viewed very seriously by Government and we will have to take very drastic disciplinary action against them. Now, with this announcement on the floor of the House, I don't think any officer will say that he has not received the Government Order or that he is yet to receive the communication or that money is not enough. Madam Speaker, I wish to make this categorical statement that money is no criterion in this situation. Any amount which is required to meet the situation

(Sri D. Devaraj Urs)

shall be spent by the Government. The officers both at the district level as well as the taluk level should move day in and day out. I am going to issue further instructions. The officers should not simply sleep over the situtation or while-away their time or take things in a leisurely manner. I know that in every taluk there is an army of officers; they come to more than a hundred under all departments. By each officer taking charge of one village they can cover the entire taluk. That is the situation today Such being the case, I can never countenance any failure on the part of the officers at the taluk and district levels, and if they give room for any complaint from the Hon. Members who are the representatives of the people, then they will be severely dealt with. With this statement of mine I hope the Hon. Members will be satisfied with the steps Government propose to take to meet the situation.

With regard to the financial position, as I have already stated, nobody need have any apprehension. It is not a question of dividing everything on an equal basis; it has to be on an equitable basis. In case in any Division more money is required we will not hesitate to give. The approach should nnt be that we have given so much and we would not give more. Money will be forthcoming and my desire is that the Hon. Members should see that the programme becomes a success from the point of view of meeting the needs of the needy people who are suffering as a result of these drought conditions. Thank you.

Statement of the Minister to for Law and Parliamentary Affairs :

Re : Status of the Leader of the Opposition.

ಶ್ರೀ ಕೆ. ನಾಯ್ಕರ್ .—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಮಾನ್ಯ ದೇವೇಗೌಡರು ಇಂದು ಪ್ರಜಾವಾಣಿ ಪತ್ರಿಕೆಯಲ್ಲಿ ಪ್ರಕಟವಾದಂಥ ವಿಷಯದ ಬಗ್ಗೆ ಪ್ರಸ್ತಾಪಿಸಿ, ಅದರಲ್ಲಿ ' ವಿರೋಧಪಕ್ಷದ ನಾಯಕರುಗಳು ಮಂತ್ರಿಗಳ ವೇತನ ಮತ್ತಿತರ ಸ್ಥಾನಮಾನಗಳನ್ನು ಕೋರಿದರೆಂದೂ" ಹೇಳಿ ಪ್ರಕಟವಾಗಿರುವ ಮಾಹಿತಿಯನ್ನು ಬಹುಶಃ ನಾನು ಹೇಳಿರಬೇಕು ಎಂಬ ತರ್ಕದ ಮೇಲೆ, ನನ್ನ ಗಮನವನ್ನು ಸೆಳೆದಿದ್ದಾರೆಂದು ನಾನು ಭಾವಿಸಿದ್ದೇನೆ. ಈ ಒಂದು ತಿದ್ದುಪಡಿ ಮಸೂದೆ ನನಗೆ ಸಂಬಂಧಪಟ್ಟಿರುವುದರಿಂದ, ನನ್ನ ತಿಳಿವಳಿಕೆ ಮೇರೆಗೆ, ನಾನೇ ಆ ರೀತಿ ಹೇಳಿರಬಹುದೆಂದು ಮಾನ್ಯ ಸದಸ್ಯರು ಸ್ವಲ್ಪ ಊಹೆ ಮಾಡಿ ನನ್ನ ಗಮನ ಸೆಳೆದಿದ್ದಾರೆಂದು ನಾನು ಭಾವಿಸಿದ್ದೇನೆ. ನಾನು ಪತ್ರಿಕೆಯವರಿಗೆ ಏನು ಹೇಳಿದ್ದೇನೆ ಎಂಬುದು ಈ ಪತ್ರಿಕೆಯಲ್ಲಿ ವರದಿಯಾಗಿರುವ ಮೊದಲನೆಯ ಪ್ಯಾರಾವನ್ನು ಓದಿದರೆ ಗೊತ್ತಾಗುತ್ತದೆ ; ಅದು ಈ ರೀತಿ ಇದೆ ;—

"ಸಭೆಯ ಹೊರಗೆ ಆ ಬಗ್ಗೆ ಸಚಿವರನ್ನು ಸುದ್ದಿಗಾರರು ಪ್ರಶ್ನಿಸಲಾಗಿ ಅದರಲ್ಲಿ ಆಂಥದ್ದೇನೂ ಇಲ್ಲವೆಂದರಲ್ಲದೆ ತಾವು ಅಷ್ಟು ಬೇಗ ವಿಧೇಯಕವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವರೆಂದು ನಿರೀಕ್ಷಿಸಿರಲಿಲ್ಲವೆಂದರು".

ನಾನು ಇಷ್ಟು ಮಾತ್ರ ಹೇಳಿದ್ದೇನೆ. ಆದೇ ಮುಂದಿನ ಪ್ಯಾರದಲ್ಲಿ ಅವರು ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಾ 'ವಿಶ್ವಾಸನೀಯವಾಗಿ ತಿಳಿದುಬಂದಿದೆ' ಎಂದು ತಿಳಿಸಿದ್ದಾರೆ. ಆದ್ದರಿಂದ ನಾನು ಆ ರೀತಿ ಹೇಳಲಿಲ್ಲ ಎಂದು ಸ್ಪಷ್ಟವಾಗಿ ಕಾಣಿಸುವುದರಿಂದ, ಆ ಬಗ್ಗೆ ಸ್ಪಷ್ಟೀಕರಣ ಕೊಡುವುದು ಅವಶ್ಯಕತೆ ಇಲ್ಲ ಎಂದು ಭಾವಿಸಿದ್ದೇನೆ.

SRI C. M ARUMUGHAM —What is it that the Law Minister wants on that issue ?

ಅಧ್ಯಕ್ಷರು :—ಮಾನ್ಯ ವಿರೋಧಪಕ್ಷದ ನಾಯಕರು ತಾವೇನೂ ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಬಂದಿರುವಂತೆ ಮಂತ್ರಿಗಳ ಸ್ಥಾನ ಮಾನವನ್ನು ಕೇಳಿರಲಿಲ್ಲ ಎಂದು ಹೇಳಿದ್ದರು. ಅದಕ್ಕೆ ಮಾನ್ಯ ಮಂತಿ ಗಳು ವಿರೋಧ ಪಕ್ಷದ ನಾಯಕರಂ ತಿಳಿದುಕೊಂಡಂತೆ ತಾವು ಹೇಳಿಕೆ ಕೊಟ್ಟಿರಲಿಲ್ಲ ಎಂದು ಹೇಳಿದರು.

SRI C. M. ARUMUGHAM .—Then, what has happened to the Mysore Legislature Salaries (Amendment) Bill, 1972 ? The Law Minister has introduced it and it should have been taken up for consideration yesterday. What has happened to it ?

MADAM SPEAKER .—It was not brought for consideration at all.

SRI C. M. ARUMUGHAM .—From press reports it is clear that there is opposition to it from the Congress Party itself. We all know that today the deputy chairmanship in the Council has gone to the Opposition. Sri T. N. Narasimha Murthy has been elected as the Deputy Chairman securing 33 votes defeating the Congress (R) candidate. The Opposition has already got their man as the Chairman of the Council : now they have lost the Deputy Chairmanship also. The salary of the Deputy Speaker here is far below that of Deputy Speakers in other States including the Parliament. In Maharashtra, the Deputy Speaker and the Deputy Chairman are provided a car and a bungalow. Here you want to pay him some conveyance allowance. When the Bill comes up for discussion, we will offer our remarks. But the question now is, what it has not been taken up for consideration. I have been seeing some members of the Congress Legislature Party moving about canvassing support for opposing the Land Reforms Bill.

SRI D. DEVARAJ URS (Chief Minister) .—I do not want the Hon. Member to mention their names : I am glad he has identified them

SRI C. M. ARUMUGHAM .—Some of the most reactionary forces are at work against it. I may assure that the people of Mysore are with the Government so far as radical and revolutionary Land Reforms Bill is concerned.

ಅಧ್ಯಕ್ಷರು .—ಯಾವ ವಿಷಯವನ್ನು ಪ್ರಸ್ತಾಪ ಮಾಡಿದಿರೋ ಅದನ್ನು ಬಿಟ್ಟು ಈಗ ತಾವು ಲ್ಯಾಂಡ್ ರಿಫಾರಮ್ಸ್‌ಗೆ ಹೋದಿರಿ.
This is typical of Sri Arumugham.

SRI C. M. ARUMUGHAM .—The reactionary forces which have got into the Assembly in the name of socialism are working against socialism : we are not going to leave them.

1.00 P. M.

SRI DEVARAJ URS .—I can see the anxiety of the House. So far as this Mysore Legislature Salaries (Amendment) Bill is concerned, I promise that I will bring it next time.

Re : POLICE FIRING AT DAVANAGERE

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ .—ನಿನ್ನೆಯ ದಿವಸ ದಾವಣಗೆರೆಯಲ್ಲಿ ನಡೆದ ಘಟನೆಯ ಬಗ್ಗೆ ಮಾನ್ಯ ಮಂಖ್ಯಿ ಮಂತ್ರಿಗಳು ಒಂದು ಸ್ಟೇಟ ಮೆಂಟ್ ಅನ್ನು ಈ ಸಭೆಯಲ್ಲಿ ಮಾಡಿದರು. ಇವ್ಹೊತ್ತ ಪತ್ರಿಕೆಯಲ್ಲಿ ವರದಿಯಾಗಿರುವ ಪ್ರಕಾರ ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ದಾವಣಗೆರೆಯಲ್ಲಿ ನಡೆದ ಪೋಲಿಸ್ ಗೋಲಿಬಾರಿನ ಬಗ್ಗೆ ವಿಚಾರಣೆ ನಡೆಸಲು ದಾವಣಗೆರೆಯ ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರನ್ನು ನೇಮಕ ಮಾಡಿದ್ದಾರೆಂದು ತಿಳಿದು ಬಂದಿದೆ. ಅದಕ್ಕಾಗಿ ನಾನು ಸಲಹೆ ಮಾಡುತ್ತೇನೆ, ಈ ಜಿಲ್ಲೆಗೆ ಒಳಪಟ್ಟ ಪ್ರತಕ್ಕ ಅಧಿಕಾರಿಯಂ ಇದನ್ನು ವಿಚಾರಣೆಮಾಡುವುದರಿಂದ ಅದು ನಿಷ್ಪಕ್ಷಪಾತವಾದ ವಿಚಾರಣೆ ಆಗುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಬೇರೆಯಾರಾದರೂ ಸೀನಿಯರ್ ಆಫೀಸರನ್ನು ಅಲ್ಲಿಗೆ ಕಳುಹಿಸಿ ವಿಚಾರಣೆ ನಡಿಸಿ. ಇಲ್ಲದಿದ್ದರೆ ಯಾರಾದರೂ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜ್ ರ್ಯಾಂಕಿನ ಒಬ್ಬರನ್ನು ಅಲ್ಲಿಗೆ ಕಳುಹಿಸಿ ಅದರ ಬಗ್ಗೆ ಒಂದು ನಿರ್ದಿಷ್ಟವಾದ ವಿಚಾರಣೆ ಮಾಡಿದರೆ ಒಳ್ಳೆಯದು. ಬಹುಶಃ ಈ ಸಭೆಯು ಮುಂದೆ ೧೪ನೇ ತಾರೀಖು ಮತ್ತೆ ಪ್ರಾರಂಭವಾಗುತ್ತದೆ ಆಗ ಈ ವಿಚಾರಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ವರದಿಯನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ಇಡುವುದು ಒಳ್ಳೆಯದೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಈ ಬಗ್ಗೆ ವಿಚಾರಣೆ ನಡೆಸಲು ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರಿಗೆ ಏನು ಹೇಳಿಕಂ ಮಾಡಿದ್ದಾರೆ ಅದು ಸರಿಯಲ್ಲ. ಅದನ್ನು ರದ್ದುಪಡಿಸಬೇಕು. ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರು ಅದನ್ನು ವಿಚಾರಣೆಮಾಡುವುದರಿಂದ ಅಷ್ಟು ಉಪಯೋಗವಾಗುವುದಿಲ್ಲ ದಯಮಾಡಿ ಯಾರಾದರೂ ಸೀನಿಯರ್ ಆಫೀಸರನ್ನಾಗಲೀ ಅಥವಾ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜ್ ರ್ಯಾಂಕಿನ ಒಬ್ಬರನ್ನು ಅಲ್ಲಿಗೆ ಕಳುಹಿಸಿ ಅವನ್ನು ವಿಚಾರಣೆ ಮಾಡುವುದು ಸೂಕ್ತ ಎಂದು ನಾನು ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳಿಗೆ ಸೂಚನೆ ಮಾಡುತ್ತೇನೆ.

SRI D. DEVARAJ URS .—It is the Deputy Commissioner who is also the District Magistrate who has powers under the Criminal Procedure Code to order such an enquiry. He has done it. We have not given him any directions in this behalf. Whenever there is a firing it is the practice and the District Magistrate who has done it Let us see the steps taken just now. And see whether in the opinion of the Government it is sufficient to find out what exactly things are. so I do not think there is anything at this juncture to proceed to make an enquiry over and above this. All that is not necessary.

Business Transacted by the House

MADAM SPEAKER .—Before we adjourn, I would like to place before the House a brief review of the important items of business transacted during the current sittings between 19th June and 5th August 1972. During this period, the House sat for 42 days. The Revised Budget for the year 1972-73 was presented to the House on 21st June, 1972. The General Discussion on the Budget took place for 6 days. Several Demands for Grants were discussed for 15 days and voted. The Appropriation Bill in this behalf was passed on 17th July 1972

Ten official Bills and three non-official Bills were introduced ; out of which, eight Official Bills were passed and one Official Bill was referred to the Joint Select Committee.

453 Starred Questions and 2 Short Notice Questions were answered. Replies to 69 Un-starred Questions were laid on the Table of the House. Four notices for Half-an-hour discussions were discussed during the period.

125 statements were made by Ministers in reply to Call Attention Notices by members in 43 days. Besides this, 14 other statements were made by Minister in response to request made by members.

There were seven Short Duration discussions during the period under review.

The House also discussed the Annul Financial Statement of the Mysore State Electricity Board for the year 1972-73 on 2 days.

4 Official Resolutions were discussed and adopted during the sittings including the Resolution regarding naming of the State.

5 Non-Official Resolutions were discussed; out of which, 2 were put to vote and negatived, two were withdraw and the discussion on one Resolution was inconclusive.

The House elected its Deputy Speaker on 26th June 1972.

During the sitting, 80 papers (Notifications, Rules, etc.,) were laid on the Table of the House.

The House granted leave of absence to 2 members.

Obituary References were made on the death of sitting member and two-ex-members of the House.

Election Members to Senates Etc., Results Annonnced

MADAM SPEAKR.—I have another announcement to make. It is in connection with the elections to the Senates of the Bangalore University. Karnatak University, Board of Regents of the University of Agricultural Sciences and the State Library Authority. As the final list of candidates is equal to the number of places to be filled the following members are declared to have been duly elected :

Bangalore University

Sriyuts :
1. Amir Rahamatulla Khan
2. Damodar Mulky
3. M. R. Jayaram
4. R. Chikkiah
5. H. G. Channappa
6. Bachi Reddy

Karanataka University

Sriyuts :
1. G. Andanappa
2. I. G. Sanadi
3. Subhash S. Patil
4. G. N. Patil

(Madam Speaker)

Board of Regents of Agriculture Sciences

Sriyuts : 1. M. M. Khargi
2. N. G. Halappa
3. H. Hanume Gowda

State Library Authority

Sriyuts : 1. V. M. Ghadi
2. K. H. Kuradgi
3. B. Narayanadass
4. K. Made Gowda

SRI M. S. KRISHNAN .—I learn that some members have not withdraw and their names are not found. I do not think it will be valid. If they have withdraw, what you say is perfectly all right. So such a thing is not there and total number of nominations are there. Sri Kakkilaya has not withdraw.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ .—ಈ ಶ್ರೀಮಾನ್ ಕೃಷ್ಣನ್ ಅವರನ್ನು ಈ ಬಗ್ಗೆ ಕನ್‌ಸಲ್ಟ್ ಮಾಡಿ ನಾವು ನಾಮಿನೇಷನ್ ಕೊಟ್ಟಿದ್ದೇವೆ.

SRI M. S. KRISHNAN .—There were no such consultations. If there was consultation we would have withdrawn. We are a disciplined party. No such decision was taken.

MADAM SPEAKER .—This is the list that has been brought before me.

SRI M. S. KRISHNAN .—I am sorry that such a list is made. We have not withdrawn and under such circumstances how can there be such a list ?

SRI B. V. KAKKILAYA .—Last time also nobody requested me ; if despite that the list is finalished, I leave it to you.

SRI D. DEVARAJ URS .—Now on behalf of the House I request Sri B. V. Kakkilaya to withdrawn his candidature. Let us not make it appear that it has become something like farce I would only appeal to Sri Kakkilaya. I am not insisting.

SRI B. V. KAKKILAYA .—In deference to your wishes I am prepared to withdrawn. I only want to bring to your notice that this is not the way to draw up the list.

SRI D. DEVARAJ URS .—I appreciate the feelings you have In-view of the fact the Hon. members is agreeable to withdrawn, I think I may say on behalf of all of us that the list as announced will be final.

HON. MEMBERS .—Yes.

MADAM SPEAKER .—Now the House stands adjourned to meet again on the 14th August 1972 at 1 P. M.

The House adjourned at Eleven minutes past One of the Clock to meet again at One of the Clock on Monday the 14th August 1972.

THE MYSORE LAND REFORMS (AMENDMENT) BILL, 1972.

(L. A. Bill No. 21 of 1972)

A Bill further to amend the Mysore Land Reforms Act, 1961.

WHEREAS it is expedient further to amend the Mysore Land Reforms Act, 1961 (Mysore Act 10 of 1962) for the purposes hereinafter appearing :

BE it enacted by the Mysore State Legislature in the Twenty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Mysore Land Reforms (Amendment) Act, 1972.

(2) It shall come into force at once.

2. *Amendment of Section 2.*—In section 2 of the Mysore Land Reforms Act, 1961 (Mysore Act 10 of 1962) (hereinafter referred to as the principal Act), in sub-section (A).—

(i) clause (6), shall be omitted.

(ii) for clause (7), the following clause shall be substituted, namely.—

" (7)"ceiling area " means the extent of land which a person is entitled to hold under section 63 "

(iii) in clause (11),—

(*a*) at the end of item (iii), for the semi colon, the colon shall be substituted and after the said item, the following proviso shall be inserted, namely.—

" Provided that the person exercising such personal supervision resides in the village in which the land is situated or within sixteen kilometres from the territorial limits of the said village" :

(*b*) Explanations II and III shall be omitted .

(vi) for clause (12), the following clause shall be substituted, namely.—

" (12) 'family' in relation to a person means the person, the wife or husband, as the case may be, of such person, and his or her minor children.

(v) clause (13) shall be omitted .

(vi) clause (17) shall be omitted .

(Madam Speaker)

(v i) after clause (21), the following clauses shall be inserted, namely,—

"(21A) "land revenue" meanas all sums and payments received or claimable by or on behalf of the State Government from any person on account of land held by or vested in him as fixed at a settlement of land revenue current in the area in which the land is situated.

Explanation.—In the case of any village to which settlement of land revenue has not been made an amount equal to the land revenue assessment levied on the same extent of similar land in an adjoining village to which settlement of land revenue has been made shall be deemed to be the land revenue for purposes of this clause :

(21B) 'limited owner' means any person entitled to a life estate in any land and includes persons deriving right through him " :

(viii) in clause (23), after the words " means ? tenant ", the words " who cultivates land personally " shall be inserted :

(ix) for clause (24), the following clause shall be substituted, namely:—

"(24) " person" means a natural person or a family consisting of natural persons but shall not include a joint Hindu family, an Aliyasanthana family, an institution capable of holding property, a company, association or other body of individuals whether incorporated or not : " :

(x) for clause (28), the following clause shall be substituted, namely:—

"(28) " rent" means money paid or payable by a tenant on account of the use and occupation of the land held by him :" :

(xi) in clause (29), in item (ii) of the first proviso, the brackets and words " (not being a joint family)" shall be omitted :

(xii) after clause (29), the following caluses shall be inserted, namely:—

"(29A)' Scheduled Bank' means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934 :

(29B) ' Scheduled Castes' means the Scheduled Castes specified in respect of the State of Mysore or in respect of any area thereof, in the Constitution (Scheduled Castes) Order, 1950 ;

(29C) 'Scheduled Tribess' means the Scheduled Tribes specified in respect of the State of Mysore or in respect of any area thereof in the Constitution (Scheduled Tribes) Order, 1950." -

(xiii) in clause (31), for the words "two basic holdings", the words " two units" shall be substituted :

(xiv) for clause (32), the following clause shall be substituted, namely:—

" (32) " stridhana land " means any land held by any female member of a family in her own name ";

(xv) after clause (32), the following clause shall be inserted namely:—

" (32A) " Tahsildar" includes a Special Tahsildar empowered; by the State Government to exercise all or any of the powers of the Tahsildar under this Act ; " :

(xvi) in clause (34) for the words " who holds land on lease", the words who cultivates personally the land he holds on lease shall be substituted ;

(xvii) after clause (35) the following clause shall be inserted, namely:—

" 35A "unit" means one acre of first Class of land or an extent equivalent thereto consisting of any one or more classes of land specified in Part A of Schedule-I determined in accordance with the formula in Part B of the said Schedule ;.

3. *Amendment of Section 5* —In sub section (1) of section 5 of the principal Act,—

(i) in item (b) of the first proviso, after the words " any land owner" the words, figures and letter "not being a person disentitled to hold land under section 79A" shall be inserted ;

(ii) in the second proviso, after the words "provided further that " the words, figures and letter 'subject to the provisions of section 79A" shall be inserted.

4. *Substitution of new section for Section* 8 — For section 8 of the principal Act, the following section shall be substituted, namely:—

'*8. Rent.*—Subject to the provisions of this Act and notwithstanding anything contained in any law, custom, usage, agreement or decree or order of a court to the contrary,—

(*a*) the rent payable in respect of any land by the tenant shall be paid annually: and

(*b*) such rent shall with effect from the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972, be ten times the land revenue payable in respect of such land :

Provided that in the case of lands classified as dry but possessing facilities for irrigation from any source of water which is the property of the State Government, an additional rent as specified below shall be payable :

(i) lands possessing facilities for assured irrigation where two crops of paddy can be raised in a year or where sugarcane can be raised.	Rupees sixty six per acre per annum

(Madam Speaker)

(ii)	lands possessing facilities for, assured irrigation where one crop of paddy can be raised in a year.	Rupees fortyfour per acre per annum
(iii)	lands in which semi-dry crops can be grown.	Rupees twentytwo per acre per annum.

Provided further that where the rent payable under any contract is less than the rent specified in clause (*b*), such tenant shall not be liable to pay more than such rent :

Provided also that in the area notified by the State Government as Malnad area, the rent in respect of the lands specified as dry land but exclusively used only for grazing or removing leaves shall be equal to the land revenue payable for such lands.".

5. *Substitution of new section for Section 9* —For section 9 of the principal Act, the following section shall be substituted, namely,—

"*9 Decision of dispute regarding rent payible*.—(1) Where the landlord evades receiving the rent and giving a receipt, the tenant shall be deemed to have paid the rent if he sends the same by postal money order to or deposits with the Tahsildar.

(2) A dispute between the landlord and the tenant as regards the rent payable shall, on the application of the landlord or the tenant, be determined by the court".

6. *Amendment of Section 10* .—In section 10 of the principal Act, clause (*b*) shall be omitted.

7. *Insertion of new Section 10 A*.—After section 10 of the principal Act, the following section shall be inserted, namely;—

"10A. *Liability to pay land revenue, etce*.—Notwithstanding any law, custom' usage, agreement, decree or order of court, the tenant shall, in respect of the land held on lease by him, with effect from the date of commencement of the Mysore land Reforms (Amendment) Act, 1972, be responsible for the land Payment of the revenue, water rate and all cesses or fees levied thereon to the State Government or a local authority.

8. *Amendment of section 11*.—In section 11 of the principal Act,—

(i) for the word "court" in the two places where it occurs, the word "Tahsildar" shall be substituted ;

(ii) The words "or where the rent is paid in kind, twice the value in cash of the excess rent recovered" shall be omitted.

9. *Amendment of section 13.*—In section 13 of the principal Act,—

(i) in the heading, for the words "remissions, reduction or enhancement", the words "remissions or reduction" shall be substituted ;

(ii) clause (*b*) of sub-section (6) shall be omitted.

10. *Amendment of section 14.*—In section 14 of the principal Act,—

(i) in sub-section (1),—

(*a*) after the words "a landlord", the words, figures letter "not being a person disentitled to hold land under section 79A" shall be inserted ;

(*b*) in clause (i), the word "or" shall be omitted ;

(*c*) clause (ii) shall be omitted ;

(ii) in sub-section (2)—

(*a*) the first proviso shall be omitted ;

(*b*) in the second proviso, the word "further" shall be omitted ;

(iii) after sub-section (4), the following sub-section shall be inserted, namely :—

"(4A) (*a*) As soon as may be after a certificate is issued under sub-section (1) or an order under sub-section (4) is made determining the lands which are non-resumable, the court shall send a copy of such certificate or order to the Deputy Commissioner.

(*b*) The court shall also send to the Deputy Commissioner copies of such certificates and orders issued or made before the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972 as soon as may be after the said date" ;

(iv) in sub-section (6) the second proviso shall be omitted ;

(v) in sub-section (7), for the words "an unmarried woman may", the words, figures and letter "an unmarried woman, not being a person disentitled to hold land under section 79A may" shall be substituted.

11. *Insertion of new section 14A.*—After section 14 of the principal Act, the following section shall be inserted, namely :—

"14A. *Inquiry and report by the Assistant Commissioner.*—In respect of lands referred to in the first proviso to clause (29) of sub-section (A) of section 2 and in sub-section (3) of section 14, other than lands held by the court to be non-resumable the Assistant Commissioner shall after inquiry in the prescribed manner submit to the Deputy Commissioner a list together with the prescribed particulars of lands deemed to be non-resumable.".

(Madam Speaker)

12. *Amendment of section 16.*—In section 16 of the principal Act,—

(i) in clause (1)—

(*a*) for the words "two basic holdings", the words "two units" shall be substituted ;

(*b*) in the proviso for the words "one standard acre", the words, "one unit" shall be substituted ;

(ii) in clause (2), for the words "two basic holdings" the words "two units" shall be substituted and for the words "three family holdings", the words "ten units" shall be substituted ;

(iii) in clauses (3) and (4), for the words "three family holdings", the words "ten units" shall be substituted ;

(iv) in the second proviso to clause (6), of the words "a basic holding", the words "one unit" shall be substituted ;

(v) in clause (7)—

(*a*) for the words "two basic holdings", the words "two units" shall be substituted ;

(*b*) for the words "a basic holding" the words "one unit" shall be substituted ;

(vi) after clause (11), the following clause shall be added, namely :—

"(12) Notwithstanding anything contained in the preceding clauses no person shall be entitled to resume land in excess of ten units.".

13. *Amendment of section 19.*—Section 19 of the principal Act, shall be renumbered as sub-section (1) of that section, and in the said sub-section—

(i) for the words "within six years from such resumption be transferred by sale, gift or exchange", the words "be transferred by sale, gift, exchange or mortgage" shall be substituted ;

(ii) after the said sub-section (1), the following sub-section shall be inserted, namely :—

"(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for a land owner to take a loan and mortgage or create a charge on his interest in the land in favour of the State Government, a Scheduled Bank, a Co-operative Land Development Bank or a Corporation owned or controlled by the Central Government or the State Government or both, for development of land or improvement of agricultural practices ; and without prejudice to any other remedy provided by any law, in the event of his making default in payment

of such loan in accordance with the terms and conditions on which such loan was granted, it shall be lawful to cause his interests in the land to be attached and sold and the proceeds to be utilised in payment of such loans'.

14. *Amendment of section 20.*—In section 20 of the principal Act, the words "within six years form the date on which he took possession" shall be omited, and for the words "the landlord", the words "such person" shall be substituted.

15. *Amendment of section 21.*—In section 21 of the principal Act,—

(i) in sub-section (1), in the second proviso, sub-clause (i), shall be omitted ; and in sub-clause (ii), for the words if he is not a member of a joint family, his heirs", the words, figures and letter "his heirs other than those disentitled to hold lands under section 79A" shall be substituted ;

(ii) for sub-sec ion (3), the following sub-section shall be substituted, namely :—

"(3) Notwithstanding anything contained in sub-section (1), it shall be lawful for a tenant to take a loan and mortgage or create a charge on his interest in the land in favour of the State Government, a Scheduled Bank, a Co-opearative Land Development Bank or a Corporation owned or controlled by the Central Government or the State Government or both, for development of land or improvement of agricultural practices ; and without prejudice to any other remedy provided by any law, in the event of his making default in payment of such loan in accordance with the terms and conditions on which such loan was granted, it shall be lawful to cause his interests in the land to be attached and sold and the proceeds to be unilised in payment of such loan."

16. *Amendment of section 23.*—In section 23 of the Principal Act,—

(i) in sub-section (1) after the words "the arrears of rent", the words "for the two consecutive years" shall be inserted ;

(ii) after sub-section (2), the following sub-section shall be added, namely :—

"(3) Notwithstanding anything contained in sub-sections (1) and (2), or in section 116 no decree or order for eviction on the ground of default in paying the rent shall be executed if the tanant pays to the landlord the arrears of rent for the two consecutive years together with the costs of the proceedings as specified in such decree or order and on such payment, the said decree or order shall abate."

17. *Substitution of new section for section 24.*—For section 24 of the principal Act, the following section shall be substituted namely :—

(Madam Speaker)

" 4. *Rights of tenant to be heritable.*—Where a tenant dies, the landlord shall be demed to have continued the tenancy to the heirs of such tenant on the same terms and conditions on which such tenant was holding at the time of his death. '

18. *Amendment of section 25.*—In sub-section (3) of section 25 of the principal Act, the words and figures "or section 64" shall be omitted.

19. *Amendment of section 27.*—In section 27 of the principal Act, the second proviso shall be omitted.

20. *Omission of section 28.*—Section 28 of the principal Act shall be omitted.

21. *Amendment of section 32.*—In section 32 of the principal Act, for the words "permanent tenant" in the two places where they occur, the word "tenant" shall be substituted and after the words "other provision of law", the words "notwithstanding anything contained in the said Act or Law" shall be inserted.

22. *Amendment of section 35.*—In section 35 of the principal Act,

(i) in clause (*a*), for the words "his predecessor intitle", the words "any of his predecessors in-title" shall be substituted ;

(ii) in clause (*b*), for the words "any default", the words "default during three consecutive years" shall be substituted.

23. *Substitution of new section for section 36.*—For section 36 of of the principal Act, the following section shall be substituted, namely :—

"36. *Site on which dwelling house is built to be sold to tenant.*—(1) If a landlord to whom the site referred to in section 35 belongs intends to sell such site, it shall be sold only to the tenant at the expense of whom or of any of whose predecessors in-title the dwelling house is built thereon.

(2) The price payable by the tenant for the site referred to in sub-section (1) shall be—

(*a*) where rent is paid for the site, an amount not exceeding ten times such rent ;

(*b*) where no rent is paid, an amount not exceeding ten times the land revenue payable on that land if it had been used for agricultural purposes.

(3) Any dispute regarding the amount payable under sub-section (2) shall be decided by the Tahsildar.

(4) Any sale of the site in contravention of this section shall be *null* and *void*."

24. *Amendment of section 37.*—For sub-section (2) of section 37 of the principal Act, the following sub-sections shall be substituted, namely :—

"(2) If the landlord refuses or fails to accept the offer and to execute the sale deed within three months from the date thereof, the tenant may apply to the Tahsildar for the determination of the reasonable price of the site. The Tahsildar shall determine the price subject to the maximum amount specified in sub-section (2) of section 36.

(3) On determination of such price, the Tahsildar shall by order in writing require the tenant to deposit with him the amount of such price within ninety days from the date of such order. On the deposit of such amount the site shall be deemed to have been transferred to the tenant and the amount deposited shall be paid to the landlord. The Tahsildar shall on payment of the prescribed fees grant a certificate in the prescribed form to such tenant specifying therein the site so transferred and the name of such tenant."

29. *Amendment of section 48.*—In section 48 of the principal Act,

(*i*) in the heading, for the word "compensation", the words "anmount payable" shall be substituted,

(*ii*) for the word "court" wherever ir occurs, the word "Tahsildar" shall be substituted,

(*iii*) in sub-section (1),—

(*a*) for the words "within its jurisdiction", the words "within his jurisdiction" shall be substituted,

(*b*) in clause (*c*), for the words "before it", in the two places where they occur, the words "before him" shall be substituted,

(*iv*) in sub-section (4) for the words "equal to the amount of compensation", the words, figures and brackets "equal to fifteen times the net annual income referred to in sub-section (2) of section 47" shall be substituted.

(*v*) in sub-section (5),—

(1) the words "of compensation" in the three place where they occur shall be omitted,

(2) in clause (*a*), for the word "compensation", the words "the amount" shall be substituted,

(*vi*) after sub-section (5), the following sub-section shall be inserted, namely:—

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"(6) Notwithstanding anything contained in sub-section (5), where there is no agreement among the persons entitled for the amount regarding the right to or apportionment of the amount, the Tahsildar shall refer the question to the court. On receipt of such reference the court shall after giving notice to the parties concerned, try the question referred to and record the findings thereon and send the same to the Tahsildar. The Tahsildar shall then prepare the statement referred to in sub-section (5) in accordance with the said findings."

30. *Amendment of section 50.*—In section 50 of the principal Act,

(*i*) in the heading, for the word "compensation", the words "the amount" shall be substituted,

(*ii*) in sub-section (1), for the word "court", the word "Tahsildar" shall be substituted and for the word "compensation" the word "amount" shall be substituted,

(*iii*) in sub-section (2),—

(*a*) in clause (*a*), the words "of compensation" shall be omitted and for the words "towards compensation", the words "towards the amount" shall be substituted,

(*b*) in clause (*b*), for the words "amount of compensation payable" the words "amount payable" shall be substituted and for the words "amount of compensation" in the two places where they occur, the words "amount payable" shall be substituted,

(*iv*) after sub-section (2), the following sub-section shall be inserted, namely —

"(3) If any question of law is involved regarding the validity of the encumbrace, the claim of the holder of the encumbrance or regarding the amount due in respect of the encumbrance, or if there is no agreement regarding any encumbrance between the landlord and the holder of the encumbrance, then, notwithstanding anything contained in section 132, the Tahsildar shall refer the question for decision to the court. On receipt of such reference the court shall, after giving notice to the parties concerned, try the question referred to and record findings thereon and send the same to the Tahsildar. The Tahsildar shall then give the decision in accordance with the said findings".

31. *Amendment of section 51.*—In section 51 of the principal Act,

(*i*) in the heading, for the words "of compensation", the words "of the amount" shall be substituted,

(*ii*) for the word "compensation", the word "amount" shall be substituted.

certificate in the prescribed form to such tenant specifying therein the site so transferred and the name of such tenant.

25. *Amendment of section 40.*—In section 40 of the principal Act,

(i) in the heading, for the word "compensation", the words "Amount payable" shall be substituted,

(*ii*) in sub-section (1), for the words "to compensation", the words "to payment of an amount" shall be substituted,

(*iii*) in sub-section (2), for the word "compensation, the word "amount" shall be substituted,

26. *Amendment of section 44.*—In section 44 of the principal Act,

(*i*) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) On receipt of the particulars under sub-section (4) of section 14 or the list under section 14A, the Deputy Commissioner shall, after satisfying himself about the non-resumble lands, by notification, declare that with effect from such date as may be specified in such notification (hereinafter referred to as the date of vesting) the non-resumable lands specified in such notification shall stand transferred to and vest in the State Government.",

(*i*) in sub-section (2), in the proviso, the words "or to the grant of a ryotwari patta" shall be omitted,

(*iii*) in clause (*f*), for the word "compensation", the words "receive the amount" shall be substituted.

27. *Amendment of section 45.*—In section 45 of the principal Act,

(*i*) in sub-section (1), for the brackets, figures, and word "(4) and (5)", the brackets, figures, letter and word "(4), (4A) and (5)" shall be substituted,

(*ii*) after sub-setion (4), the following sub-section shall be inserted, namely:—

"(4A) If a tenant referred to in sub-section (4) is disentitled to hold land under section 79A he shall not be entitled to be registerred as an occupant of that land under this section".

28. *Substitution of new section for section 47.*—For section 47 of the principal Act, the following section shall be substituted, namely:—

47. *Amount payable.*—(*1*) Save as provided in section 106, the land-owner, landlord and all the other persons interested in the land shall for the extinguishment of their rights in the lands vesting in the State Government

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under section 44, be entitled to an amout which shall be as determined with reference to the net annual income derivable from the land in accordance with the following scale, namely:—

(*i*) for the first sum of rupees five thousand or any portion thereof of the net annual income from the land, fifteen times such sum or portion,

(*ii*) for the next sum rupees five thousadd or any portion thereof of the net annual income from the land, twelve times such sum or portion,

(*iii*) for the balance of the net annual income from the land, ten times such balance subject to the condition that the total amount payable is limited to rupees two lakhs.

Provided that where the tenant holds land from intermediaries the amount shall be paid to the land-owner and intermediaries in the same proportion in which the rent paid for the land by the tenant was being appropriated by them immediately before the date of vesting.

Provided further that if the landlord is a small holder, he shall be entitled to an amount equal to twenty times the net annual income from the land.

(2) For the purpose of sub-section (1), the net annual income from the land shall be deemed to be the amount payable as annual rent in respect of the land as specified in clause (*b*), and the proviso to that clause (if applicable to that land), of section 8."

32. *Amendment of Section 52.*—In section 52 of the principal Act for the word "compensation" wherever it occurs, the words "the amount" shall be substituted.

33. *Amendment of Sections 53 and 54.*—In sections 53 and 54 of the principal Act, for the word "court", the word "Tahsildar" shall be substituted.

34. *Amendment of Section 55.*—In section 55 of the principal Act

(*i*) for the word "court", wherever it occurs, the word "Tahsildar" shall be substituted.

(*ii*) in sub-section (3), for the words "as it may think fit", the words "as he may think fit" shall be substituted.

35. *Amendment of Section 58.*—In section 58 of the principal Act,

(*i*) in the heading, for the words and figures "after notification under section 44", the words "after the appointed day" shall be substituted.

(*ii*) in sub-section (1),—

(*a*) for the words and figures "after the first issue of a notification under section 44" the words "after the appointed day" shall be substituted.

(*a*) after the words "the court shall" the words, figures, brackets and letter "subject to the first proviso to clause (*b*) sub-section (2) of section 14" shall be inserted.

36. *Amendment of Section 59.*—In section 59 of the principal Act, for the word "court", the word "Tahsildar" shall be substituted.

37. *Amendment of Section 60.*—In section 60 of the principal Act, for the word "court" the word "Tahsildar" shall be substituted.

38. *Amendment of section 61.*—In section 61 of the principal Act

(*i*) in sub section (1), the words " within six years from the date of such grant" shall be omited,

(*ii*) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for the occupant registered as such or his successor-in-title to take a loan and mortgage or create a charge on his interest in the land in favour of the State Government, a Scheduled Bank, a Co-operative Land Development Bank or a Corporation owned or controlled by the Central Government or the State Government or both for development of land or improvement of agricultural practices, and without prejudice to any other remedy provided by any law, in the event of his making default in payment of such loan in accordance with the terms and conditions on which such loan was granted, it shall be lawful to cause his interest in the land to be attacked and sold and the preceeds to be utilised in payment of such loan".

39. *Amendment of section 62.*—In section 62 of the principal Act, the words "within six years from the date of such registration" shall be omitted.

40. *Substitution of new section for section 63.*—For section 63 of the principal Act, the following section shall be substituted, namely:—

"63. *Ceiling on land.*—(1) No person who is not a member of a family and no family shall, except as otherwise provided in this Act, be entitled to hold whether as land owner, landlord or tenant or as a mortgagee with possession or otherwise or partly in one capacity or partly in another, land in excess of the ceiling area.

(2) The ceiling area for a person who has no family or is not a member of a family or for a family shall be ten units.

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(3) The ceiling area for everyf amily consisting of more than five mem bers shall be ten units together with an additional two units for every member of the family in excess of five, so however that the total extent of land for such family shall not exceed twenty units.

(4) For the purpose of this section, all the lands held individually by the members of a family including stridhana land or jointly by some or all of the members of the family shall be deemed to be held by the family.

(5) (*a*) In calculating the extent of land held by an individual person or a member of a family, the share of the members of the family or of an individual person in the land held by an undivided Hindu family, or an Aliyasanthana shall be taken into account.

(*b*) In calculating the extent of land held by an individual person or a family, the share of the individual person or of the family in the land held by a firm, society or association of individuals (whether incorporate or not) or by a company shall be taken into account.

(*c*) In calculating the extent of land held by a person, the share of such person in the land held by a Co-operative Farm shall be taken into account.

(6) (*a*) No Sugar factory shall hold any land except solely for the purpose of research or seed farm or both; and when land is held solely for the purpose of research or seed farm or both by a sugar factory the ceiling are shall be one hundred units;

(*b*) If any question arises whether and land held by a sugur factory is solely used for the purpose of research or seed farm or both, the decision of the State Government on that question shall be final; and land not held for the said purpose shall be deeme to be surplus land and the provisions of sections 66 to 76 shall, so far as may be, apply to the surrender to and vesting in, the State Government of such land. The provisions of this sub-section shall have effect notwithstanding anything conntained in this Act.

(7) In the case of any person holding land cultivated by plantation crop, the ceiling area in respect of other lands held by him shall be determind taking into account the-agricultural land referred to in intem (iii) of the Explanatian to Section 104.

(8) Notwithstanding anything contained in the preceding sub-section, if any person has, after the 18th November 1961, transferred any land otherwise than by partition or by donation to the Mysore Bhoodan Yagna Board established under the Mysore Bhoodan Yanga Act, 1963 (Mysore Act 34 of 1963) or by sale to the tenant of such land in conformity with any law in force at the time, then in calculating the ceilling area whieh that person is entitled to hold the

area so transferred shall be taken into account end land exceding the ceiling area so calculated shallibe deemed to be in excess of the ceiling area, notwithstanding that the land remaining with him may not, in fact, be in excess of the ceiling area.

If by reason of such transfer the person's holding is less than the area so calculated to be in excess of the ceiling area, then all his land shall be deemed to be surplus land, and the provisions of section 66 to 76 shall as far as may be, apply to the surrender to, and vesting in, the State Government, of such excess land.

Explanation.—For the purpose of this sub-section, the land shall deemed to have been transferred if it has been transferred by act of parties (whether by sale gift, mortgage with possession, exchange lease or any other disposition made inter-vivos)."

41. *Substitution of new section for section* 64.—For section 64 of the principal Act, the following sections shall be substituted, namely.

"64. *Ceiling on future acquisition by inheritance, bequest or by sale in execution of decrees.*—(1) If on or after the date of commencement of the Mysore Land Reforms (Amendment of the Mysore Land Reforms (Amendment) Act, 1972,—

(*a*) any person acquires by inheritance or bequest from any person; or

(*b*) any person acquires by sale or in execution of a decree or order so a civil court or of an award or order of any other lawful outhority,

any land, which together with the land, if any already held by him, exceeds in the aggregate the ceiling area, then, he shall within the prescribed period from the date of such acquisition furnish to the Tahsildar within whose jurisdiction his holding or major part thereof is situated, a declaration containing the following particulars, namely :—

(i) particulars of the land already held by him and those of the land so acquired.

(ii) particulars of the land which he desires to retain within the ceiling area.

(iii) particulars of the date of acquisition.

(iv) particulars of the manner of acquisition and of the document, if any. under which such acquisition was made.

(v) the name and description of the person who held the land immediately before the date of acquisition.

(vi) particulars of land held by tenant, if any, and the name and address of such tenant.

(vii) such other particulars as may be prescribed.

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Explanation.—In this sub-section, "bequest" shall include,—

(1) gift made in contemplation of deth, and

(2) gift to take effect after the happening of any event.

(2) If, as a result of marriage or adoption on or after the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972 the extent of land held by any person exceeds in the aggregate the celing area, he shall within the prescribed period from the date of marrige or adoption, as the case may be, furnish to the Tahsildar within whose jurisdiction his holding or major part thereof is situated, a declaration containing the following particulars, namely :—

(i) particulars of the land held before the date of the marriage or adoption,

(ii) particulars of the land held after the date of marriage or adoption, and

(iii) such other particulars as may be prescribed.

64A. *Penalty for future acquisition in contravention of Section* 63 —(1) If as a result of any transfer of land either by sale, gift (other than gift made in contemplation of death), exchange, surrender, agreement, settlment or other wise effected on or after the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972, the extent of land held by the transferee exceeds the ceiling area, then, the extent of land in excess of the ceiling area so acquired shall be deemed to have been rransferred to and vested in the State Governmet free from all encumbrances with effect from the date of such transfer on a declaration to that effect made by the Deputy Commissioner within whose jurisidiction such excess land or the major part thereof is situated :

Provided that no such declaration shall be made except after giving the person acquiring such land a reasonable opportunity of being heard.

(2) After a declaration under sub-section (1) is made the Deputy Commissioner may take possession of such land deemed to have been transferred to and vested in the State Government in such manner as my be prescibed.

(3) For the land deemed to have been transferred to and vested in the State Government under sub-section (2) the person who had acquired such land shall be paid an amount equal to fifty per sent of the amount payable under section 72,"

42. *Substiution of new seetion for Section* 65.—For Section 65 of the principal Act, the following section shall be substitutd, namely,—

65. "*Surplus land to be surrendered to State Government.*—The land which is in excess of the ceiling area, the land held by a person or a referred to in section 79A and the land held by a person referred to in section 79B (hereinafter referred to as "surplus and") shall be surrendered to the State Gevernment."

43. *Insertion of new Section* 65A.—After section 65 of the principal Act, the following section shall be inserted, namely :—

"65A. *Certain lands deemed to be in excess of ceiling limit.*—Where as a result of irrigation from a source constructed by the State Government, any land held by a person or if he has a family, together with any member of his family, is converted after the appointed day into any other class of land and thereby the lands held by such person exceed the ceiling area the land so in excess shall be deemed to be surplus land and accordingly the provisions of section 68 to 76 shall, so far as may be, apply to the surrender and vesting in the State Government of such excess land."

44. *Amendment of section* 66.—In section 66 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—

"(1) (*a*) Every person holding land on the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972, which is in excess of the ceiling area shall, within the prescribed period after the date of commencement of the said Act, and.

(*b*) every person whose land is deemed under section 65A to be in excess of the ceiling area shall, within the prescribed period after such conversion,

furnish a declaration to the Tahsildar within whose jurisdiction the holding of such person or the family or the major part thereof is situated, containing the following particulnars, namely :—

(i) particulars of all the lands.

(ii) particulars of the members of the family, and

(iii) such other particulars as my be prescribed,

Provided that if such person is a soldier in the service of the armed force of the Union or a seaman, a declaration shall be filed within such time as the State Government my, by notification, specify."

45. *Insertion of new section* 66A.—After section 66 of the principal Act, the following section shall be inserted, namely :

"66A. *Penalty for failure to submit declaration.*— (1) Where, a person required by section 64 or 66 to furnish a declaration,—

(*a*) fails without reasonable cause so to do, within the time specified in that section, or

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(*b*) furnishes a declaraition woith he knows, or has reason to believe, to be false, he shall be liable to pay a penalty which may extend to five hundred rupees.

(2) Where the Tahsildar has reason to believe that a person, required by section 64 or 66 to furnish a declaration has, without reasonable cause, failed so to do, or has submitted a declaration which he knows or has reason to believe to be false, the Tahsildar shall issue a notice calling upon such person to show cause within fifteen days of the service thereof, why the penalty provided by sub-section (1) should not be imposed upon him. If the Tahsildar, onconsidering the reply or other cause shown, is satisfied that the person has without reasonable cause failed to submit the declaration within time, or has submitted a declaration which he knew or had reason to believe to be false, he may impose the penalty provided in the last preceding sub-section and require him to submit a true and correct declaration oomplete in all particulars, within a period of one month from the date of the order.

(3) If the person fails to comply with the order within the time so granted by the Tahsildar, then as a penalty for failure to furnish a declaration, or a true and correct declaration complete in all particulars. the right, title and interest in the land held by him in excess of the ceiling area shall be forfeited to the State Government and shall thereupon vest without further assurance in the State Government."

46. *Amendment of section 67.*—In section 67 of the principal Act,-

(i) in sub-section (1) for the portion begining with the words "On receipt of a declaration" and ending with the words and figures "section 63 or 64.", the following shall be substituted, namely :—

"Save as provided in section 66A, on receipt of declaration under section 64 or 66, the Tahsildar shall after such enquiry as he deems fit determine the extent of holding and the area by which such extent exceeds the ceiling area.".

(ii) after sub-section (1), the following sub-sections shall be inserted, namely :—

"(1A) Where the lands held by a family consist of stridhana land which may be surrendered, the extent of stridhana land to be surrendered shall in no case be more than the proportion which the extent of stridhana land bears to the extent of other land held by the family.

(1B) Where a person holds lands cultivated by him personally as well as lands cultivated by a tenant, the surrender of surplus land by him if that land is cultivated by a tenant, shall be subject to the provisions of Chapter III".

47. *Amendment of section 69.*—In section 69 of the Principal Act,—

(i) in sub-section (2), the word and figures "or 64" shall be omitted ;

(ii) in sub-section (3), the words, brackets and letter "clause (b) of" shall be omitted.

48. *Amendment of section 70.*—In sub-section (1) of section 70 of the principal Act, after the words "revert to the mortgagor", the words, figures and letter "not being a person disentitled to hold lands under section 79A", shall be inserted.

49. *Substitution of new section for section 72.*—For section 72 of the principal Act, the following section shall be substituted, namely:-

"72. *Amount payable for land surrendered to and vesting in the State Government.*—The amount payable in respect of land to be taken over by the State Government under sections 68, 70, 71, 79A [other than the land referred to in sub-section (3) of section 79A] and 79B shall be determined with reference to the net annual income derivable from the land in accordance with the following scale, namely :—

(i) for the first sum of rupees five thousand or any portion thereof of the net annul income from the land, fifteen times such sum or portion ;

(ii) for the next sum of rupees five thousand or any portion thereof of the net annual income from the land, twelve times such sum or portion ;

(iii) for the balance of the net annual income from the land, ten times such balance subject to the condition that the total amount payable is limited to rupees two lakhs.

(2) For the purpose of sub-section (1), the net annual income from the land shall be deemed to be the amount payable as annual rent in respect of the land as specified in cause (b), and the proviso to that clause (if applicable to that land), of section 8".

50. *Amendment of section 73.*-In section 73 of the principal Act,-

(i) in the heading for the word "compensation" in the two places where it occurs, the words "the amount" shall be substituted ;

(ii) in sub-section (1), for the word "court" the word "Tahsildar" shall be substituted and for the word "compensation" in the two places where it occurs, the word "amount" shall be substituted ;

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(iii) in sub-section (2), for the word "compensation" in the two places where it occurs, the words "the amount" shall be substituted ;

(iv) in sub-section (3), for the word "compensation" the word "amount" shall be substituted.

51. *Amendment of section 74.*– In section 74 of the principal Act, the word and figures "or 64" shall be omitted.

52. *Amendment of section 75.*—In section 75 of the principal Act,—

(i) the words "or is the member of the joint family" and "or joint family" shall be omitted ;

(ii) the word and figures "or 64", shall be omitted.

53. *Substitution of new section for section 77.*—For section 77 of the principal Act, the following section shall be substituted, namely:-

"77. *Disposal of surplus land.*—(1) Surplus land vesting in the State Government under this Act, land directed to be disposed of under sub-section (6) of section 45, section 59, section 60, land vesting in the State Government under section 79A, section 79B or under any other provision of this Act and any other land acquired under section 131, shall subject to reservation of fifty per cent thereof for grant to persons belonging to Scheduled Castes and Scheduled Tribes may be granted by the Tahsildar to the following persons to the extent and in the order of preference as indicated below :—

(i)	Displaced tenants having no land.	Not less than one unit each ;
(ii)	Landless agricultural labourers and other landless persons.	Not less than one unit each.
(iii)	Other persons having less than one unit.	Not less than the extent required to make up one unit.

(2) The grant of land reserved for persons belonging to the Scheduled Castes and the Scheduled Tribes shall be subject to the extent and the order of preference indicated in sub-section (1)".

54. *Amendment of section 78.*—In section 78 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely :—

"(2) The purchase price shall be an amount equal to fifteen times the net annual income referred to in sub-section (2) of section 72".

55. *Amendment of Chapter heading and insertion of new sections 79A and 79B.*—In Chapter V of the prinicipal Act,—

(i) in the Chapter heading, after the words "Restrictions on", the words "holding or" shall be inserted ;

(ii) before section 80, the following sections shall be inserted, namely :—

"79A. *Prohibition of holding land by non-agriculturists* —(1) (*a*) No person who, or a family which, has an assured annual income of not less than rupees twelve thousand, from sources other than agricultural lands, shall be entitled to hold any land whether as land owner, landlord, tenant or as a mortgagee with possession or otherwise, or partly in one capacity and partly in another.

(*b*) For purposes of clause (*a*),—

(i) the aggregate income of all the members of a family from sources other than agricultural land shall be deemed to be the income of the family from such sources.

(ii) a person or a family shall be deemed to have an assured annual income of not less than rupees twelue thousand from sources other than agricultural land on any day, if such person or family had an average annual income of not less than rupees twelve thousand from such sources during a period of five consecutive years preceding such day.

Explanation.—A person who has been assessed to income tax under the Income Tax Act, 1961 (Central Act 43 of 1961) on an yearly gross income of not less than rupees twelve thousand for five consecutive years shall be deemed to be a person whose average annual income is not less than rupees twelve thousand from sources other than agricultural income.

(2) (*a*) Every person or family who or which holds land on the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972, and who or which is disentitled to hold land under sub-section (1) shall furnish within the prescribed period a declaration to the Tahsildar within whose jurisdiction the land of such person or family is situated containing the following particulars, namely :—

(i) particulars of all lands ;

(ii) the average annual income of himself of the family ;

(iii) such other particulars as may be prescribed.

(*b*) Where a person or family,—

(i) holding land becomes, on any day after the commencement of the Mysore Land Reforms (Amendment) Act, 1972 disentitled to hold land under sub-section (1) ; or,

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(ii) disentitled to hold land under sub-section (1), acquires land by sale gift, exchange, inheritance, bequest or otherwise, on any day after the date of commencement of the Mysore Land Reforms (Amendment) Act, 1972,

such person or family shall within the prescribed period from such day furnish a declaration to the Tahsildar within whose jurisdiction the holding of such person or family is situated, containing the particulars specified inc lause (*a*).

(3) (*a*) On receipt of a declaration under clause (*a*) or clause (*b*), the Tahsildar shall after such inquiry as he deems fit and after satisfying himself that the person making the declaration is disentitled to hold land under sub-section (1), send a statement containing the prescribed particulars relating to such land to the Deputy Commissioner.

(*b*) On receipt of the statement from the Tahsildar under clause (*a*), the Deputy Commissioner shall by notification, declare that with effect from such date as may be specified in the notification, such land shall stand transferred to and vest in the State Government free from all encumbrances From the date specified in such notification, the Deputy Commissioner may take possession of such land in such manner as may be prescribed.

(*c*) In respect of land vesting in the State Government under clause (*b*), an amount as specified in section 72 shall be payable :

Provided that where such land is acquired otherwise than by inheritance or bequest, the amount payable shall be an amount equal to fifty per cent of the amount payable under section 72.

79B. *Prohibition of holding agricultural land by persons not cultivating personally.*—(1) No person other than a person cultivating land personally shall, after the date of the commencement of the Mysore Land Reforms (Amendment) Act, 1972, be entitled to hold any agricultural land.

(2) (*a*) Every person who holds agricultural land on the date of the commencement of the Mysore Land Reforms (Amendment) Act, 1972 and who is disentitled to hold such land under sub-section (1) shall furnish within the prescribed period, a declaration to the Tahsildar within whose jurisdiction such land is situated containing the particulars of such land and such other particulars as may be prescribed.

(*b*) Where a person—

(i) holding land becomes, on any day after the date of the commencement of the Mysore Land Reforms (Amendment) Act, 1972 disentitled to hold land under sub-section (1), or.

(ii) disentitled to hold land under sub-section (1) acquires land by inheritance or by bequest, on any day after the date of the commencement of the Mysore Land Reforms (Amendment) Act, 1972,

such person shall within the prescribed period from such date furnish a declaration to the Tahsildar within whose jurisdiction the land of such person is situated, containing the particulars of the land and such other particulars as may be prescribed.

(*c*) On receipt of a declaration under clause (*a*) or clause (*b*) the Tahsildar shall after such inquiry as he deems fit and after satisfying himself that the person making the declaration is disentitled to hold land under sub-section (1) send a statement containing the prescribed particulars relating to such land to the Deputy Commissioner.

(*d*) On receipt of the statement from the Tahsildar under clause (*c*) the Deputy Commissioner shall by a notification, declare that with effect from such date as may be specified in the notification such land shall stand transferred to and vest in the State Government free from all encumbrances. From the date specified in such notification the Deputy Commissioner may take possession of such land in such manner as may be prescribed.

(*e*) In respect of such land vesting in the State Government under clause (*d*) an amount as specified in section 72 shall be payable.

79C. *Penalty for failure to submit declaration.*— (1) Where a person required by section 79A or 79B to furnish a declaration.—

(*a*) fails without reasonable cause so to do, within the time specified in that section, or

(*b*) furnishes a declaration which he knows, or has reason to believe, to be false

he shall be liable to pay a penalty which may extend to five hundred rupees.

(2) Where the Tahsildar has reason to believe that a person, required by section 79A or 79B to furnish a declaration has, without reasonable cause, failed so to do, or has submitted a declaration which he knows or has reason to believe to be false, the Tahsildar shall issue a notice calling upon such person to show cause within fifteen days of the service thereof, why the penalty provided by sub-section (1) should not be imposed upon him. If the Tahsildar, on considering the reply or other cause shown, is satisfied that the person has without reasonable cause failed to submit the declaration within time, or has submitted a declaration which he knew or had reason to believe to be false, he may impose the penalty provided in the preceding sub-section and require him to submit a true and correct declaration complete in all particulars, within a period of one month from the date of the order.

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(3) If the person fails to comply with the order within the time so granted by the Tahsildar, then as a penalty for failure to furnish a declaration, or a true and correct declaration complete in all particulars, the right, title and interest in the land held by him shall be forfeited to the State Government and shall thereupon vest without further assurance in the State Government."

56. *Amendment of Section 80.*—In clause (*b*) of section 80 of the principal Act,—

(1) for item (iii), the following items shall be substituted, namely:—

"(iii) who is not an agricultural labourer; or

(iv) whose assured annual income is not less than rupees twelve thousand from sources other than agricultural lands;"

(2) in the proviso, for the words, "to enable persons" the words, figures and letter "to enable a person other than a person disentitled to hold land under section 79A" shall be substituted.

57. *Amendment of Section 81.*—In section 81 of the principal Act, for clause (*b*), the following clause shall be substituted, namely:—

"(*b*) the sale of any land or interest therein in favour of,—

(i) a Co-operative Society;

(ii) a Scheduled Bank;

(iii) the Mysore State Agro-Industries Corporation;

(iv) the Agricultural Refinance Corporation constituted under the Agricultural Refinance Corporation Act, 1963; and

(v) the Agricultural Finance Corporation Limited;

or the mortgage of any land or interest therein in favour of such society, bank or corporation as security for loan advanced by such society, bank or corporation."

58. *Amendment of Section 81A.*—In sub-section (1) of section 81A of the principal Act, for the words "land held by him" the words "land held by him as also his assured annual income" shall be substituted.

59. *Omission of Section 103.*—Section 103 of the principal Act shall be omitted.

60. *Amendment of Section 104.*—In section 104 of the principal Act,—

(i) in the heading, after the words "Regimental Farms" a comma and the words "Co-operative Farms" shall be inserted;

(ii) for the words and figures "The provisions of sections 63 and 64 shall not apply to regimental farm lands or to plantations" the words and figures "Subject to the provisions of section 110, the provisions of Chapter IV shall not apply to regimental farm lands, Co-operative Farms or to plantations." shall be substituted.

61. *Omission of Section 105.*—Section 105 of the principal Act shall be omitted.

62. *Amendment of Seetion 106.*—In section 106 of the principal Act,—

(i) in the heading, for the word "Compensation" the words "Amount payable" shall be substituted;

(ii) in sub-section (1) for the words, brackets and figures "sub-section (2), (3) and (4)" the words brackets and figure "sub-section (2)" shall be substituted;

(iii) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) In respect of lands held by such institution, the amount payable shall be an annuity to be paid so long as the institution exists of a sum equal to the net annual income referred to in sub-section (2) of section 72 payable in respect of such land under section 8. Towards the annuity payable, the State Government shall issue a non-redeemable and non-negotiable annuity bond"

(iv) sub-sections (3) and (4) shall be omitted.

63. *Substitution of new section for Sectoon 107.*—For section 107 of the principal Act, the following section shall be substituted, namely:—

"107. *Act not to apply to certain landes.*—Subject to the provisions of section 110, nothing in this Act except section 8 shall apply to lands,—

(i) belonging to Government;

(ii) belonging to Government and held on lease from the Government for a period not exceeding twenty years;

(iii) belonging to or held on lease by or from a local authority, an Agricultural Produce Marketing Committee constituted under the Mysore Agricultural Produce Marketing Regulation Act, 1966 (Mysore Act 27 of 1966), a University established by law in India or the Mysore Bhoodan Yagna Board established under the Mysore Bhoodan Yagna Act, 1963 (Mysore Act 34 of 1963) for a period not exceeding twenty years;

(iv) given as a gallantry award;

(v) used for stud farms in existence on the 24th day of January 1972 and approved by the State Government."

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64. *Omission of Section 108.*—Section 108 of the principal Act shall be omitted.

65. *Substitution of new Section for Section 109.*—For section 109 of the principal Act, the following section shall be substituted, namely:—

"*109. Certain lands to be exempt from certain provisions.*—Subject to the provisions of the Mysore Town and Country Planning Act, 1961 (Mysore Act 11 of 1963), the State Government may, by notification, exempt, from such of the provisions of this Act as may be specified in the notification land in any area, for urban non-agricultural or non-industrial development."

66. *Amendment of Section 110.*—In section 110 of the principal Act, for the words and figures "sections 103, 105, 107, and 108" the words and figures "section 104 and 107" shall be substituted.

67. *Amendment of Section 112.*—In section 112 of the principal Act,—

(i) in clause (*d*), for the brackets and figure "(4)" the brackets and figure "(2)" shall be substituted;

(ii) clauses (*o*), (*p*) and (*q*) shall be omitted;

(iii) in clause (*r*),the figures and word "37 or"shall be omitted;

(iv) for clause (*v*), the following clause shall be substituted, namely:—

"(*v*) to record finding on the question referred to it under sections 48 and 50."

(v) clauses (*w*), (*x*) and (*y*) shall be omitted;

(vi) in clause (*za*), for the words and figures "sections 71 and 72" the word and figures "section 71" shall be substituted.

68. *Amendment of Section 118.*—In section 118 of the principal Act,—

(i) in sub-section (1), after the words "from every decision" the words and figures "including a decision under section 133" shall be and shall be deemed always to have been inserted;

(ii) sub-section (2a) shall be omitted.

69. *Substitution of new Section for Section 118A.*—For section 118A of the principal Act the following section shall be substituted, namely:—

"118A. *Review by the Divisional Commissioner.*—The Divisional Commissioner may of his own motion at any time call for and examine the record of any order passed by the Assistant Commissioner agains

which no appeal lies or the record of any other order passed or proceeding recorded by the Tahsildar for the purpose of satisfying himself as to the legality or propriety of such order or as to the regularity of such proceeding and may pass order with respect thereto as he thinks fit.

Provided that no such order shall be made except after giving the person affected, a reasonable opportunity of being heard."

70. *Insertion of new Section 121A.*—After section 121A of the principal Act, the following section shall be inserted, namely:—

"121A. *Revision by the High Court.*—The High Court may at any time call for the records of any order or proceeding recorded by a court under the provisions of this Act for the purpose of satisfying itself as to the legality of such order or as to the regularity of such proceeding and may pass such order with respect thereto as it thinks fit :

Provided that no such order shall be made except after giving the person affected a reasonable opportunity of being heard.

71. *Amendment of section 125.*—In section 125 of the principal Act.—

(i) in sub-section, (2), for the word and figures "Chapter IV". the words and figures "Chapter IV or Chapter V" shall be substituted.

(ii) in sub-section (2A), for the words "return, or" in the two places where they occur, the words "return, statement or" shall be substituted.

72. *Amendment of section 131.*—In section 131 of the principal Act —

(i) in sub-section, (1), for the words "of compensation", the words "of an amount" shall be substituted.

(ii) in sub-sections (2) and (3), for the word "compensation" the word "amount" shall be substituted.

73. *Amendment of section 137.*—In sub-section (2) of section 137 of the principal Act.

(i) clauses (ii) and (iii) shall be omitted;

(ii) after clause (iv), the following clause shall be inserted, namely:—

"(iva) the matter of inquiry to be conducted and the particulars to be furnished to the Assistant Commissioner under section 14A."

(iii) clauses (vii) and (xiv) shall be omitted.

74. *Substitution of new Schedule for Schedule I.*—For Schedule I to the principal Act, the following Schedule shall be substituted, namely:—

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SCHEDULE I

[*See* Section 2 (A)—(32)j

PART A

Classification of Lands

First Class —Land possessing facilities for assured irrigation where two crops of paddy can be raised in a year or one crop of sugarcane can be raised.

Second Class.—Land not falling under the First Class or the Third Class—

(i) possessing facilities for assured irrigation where one crop of paddy can be raised in a year; or

(ii) irrigated by lifting water from a river, tank or channel.

Third Class.—Land irrigated from minor tanks where one crop of paddy can be raised in a year.

Explanation.—'Minor Tank' means tank with a command over not more than fifty acres.

Fourth Class.—Rainfed wet lands.

Fifth Class —Land not falling under the First, Second, Third or Fourth Class, situated in the taluks specified in column 3 of the Table.

Sixth Class.—Land not falling under First, Second, Third or Fourth Class in the taluks specified in column 4 of the Table.

Seventh Class.—(i) Land not falling under the First, Second, Third or Fourth Class situated in the taluks specified in column 5 of the Table or in any other area in the State.

(ii) Land anywhere in the State on which coconut trees and fruit bearing trees other than areca are raised without irrigation.

TABLE

Sl. No.	District	Name of the taluk	Name of the taluk	Name of the taluk
1	2	3	4	5
1	Bangalore	...	Bangalore North Doddaballapur Nelamangala Magadi Ramanagaram Devanahalli Channapatna	Bangalore South Hoskote Kanakapura Anekal

1	2	3	4	5
2	Kolar	...	Mulbagal	Kolar
			Siddlaghatta	Bangarpet
			Chickballapur	Chintamani
			Gowribidanur	Bagepalli
			Srinivasapur	Malur
			Gudibanda	
3	Tumkur	...	Tumkur	Madhugiri
			Kunigal	Chikanaikanahalli
			Turuvekere	Sira
				Gubbi
				Tiptur
				Pavgada
				Koratgere
4	Mysore	Heggada-devanakote	Mysore	Chamarajanagar
			Hunsur	Nanjangud
			Krishnarajanagar	
			Gundlupet	
			T. Narasipur	
			Periyapatna	
			Kollegal	
			Yelandur	
5	Mandya	...	Mandya	Srirangapatna
			Malavalli	Nagamangala
			Krishnarajpet	Pandavapura
			Maddur	
6	Hassan	Belur	Hassan	Arasikere
		Alur	Arkalgud	
			Channarayapatna	
			Holenarasipur	
7	Shimoga	Shimoga	Channagiri	
		Shikaripur	Honnali	
		Sorab		
		Bhadravathi		
8	Chick-magalur	Chickmagalur	Tarikere	Kadur
9	Chitradurga	...	Davangere	Chitradurga
				Challakere
				Hiriyur
				Holalkere
				Molkalmuru
				Jagalur
				Hosadurga
				Harihar

1	2	3	4	5
10	Bellary	...	Siruguppa	Bellary
			Hadagalli	Hospet
			Harapanahalli	Kudligi
			Sandur	Mallapuram
11	Bidar	Bidar	Santhpur	...
		Bhalki	(Aurad)	
		Humnabad		
		Basavakalyan		
12	Gulbarga	Chincholi	Yadgir	...
		Sedam	Gulbarga	
			Aland	
			Afzalpur	
			Chittapur	
			Jevargi	
			Shorapur	
			Shahapur	
13	Raichur	...	Raichur	Lingsugur
			Manvi	Devadurga
			Yelburga	Kushtagi
				Koppal
				Sindhanoor
				Gangavathi
14	Dharwar	Kalaghatgi	Dharwar	Gadag
		Hangal	Hubli	Ranebennur
			Kundgol	Mundargi
			Siggaon	Navalgund
			Herekerur	Naragund
			Haveri	Ron
			Shirahatti	
			Byadagi	
			Savanur	
15	North Kanara	Mundgod	...	...
		Haliyal		
16	Bijapur	...	Bijapur	Sindgi
			Indi	Jamkhandi
			Bagewadi	Muddebihal
			Hungund	Mudhol
				Bagalkot
				Badami
17	Belgaum	Belgaum	Chikodi	Gokak
			Hukkeri	Athani
			Sampagaan	Raibag
			(Bailhongal)	Ramadurga
			Parasgad	
			(Saundatti)	

PART B

Formula for determining equivalent extent of land in different classes

One acre of first class of land = 1.5 acres of second class of land = 1.8 acres of third class of land = 2.5 acres of fourth class of land = 3.6 acres of fifth class of land = 4.5 acres of sixth class of land = 5.4 acres of seventh class of land.

75. *Disposal of pending proceedings.*—Notwithstanding anything contained in the principal Act or in the Mysore General Clauses Act, 1899, the provisions of the principal Act as amended by this Act shall be applicable to all proceeding commenced before the date of commencement of this Act and pending before any court, tribunal or other authority as if the principal Act as amended by this Act were in force when the right accrued or liability was incurred and every court, tribunal, or other authority shall deal with the proceedings accordingly.

76. *Repeal of section 4 of Mysore Act 4 of 1972.*—Section 4 of the Mysore Land Reform(Second Amendment and Miscellaneous Provisions Act, 1972 (Mysore Act 4 of 1972) is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

According to the exisiting provisions of the Mysore Land Reforms Act, 1961, a person can hold land upto 18 standard acres after 2nd October 1965 or 144 acres of last class of land. In the case of a person who had held land prior to 2ad October 1965, the extent to which he is permitted to continue to hold is 27 standard acres or 216 acres of last class of land. In the case of a family or a joint family, six additional standard acres are permitted to be held for eaeh member in excess of five, subject however to double the ceiling limit applicable to the family. Thus a large family holdidg lands prior to 2nd Oetober 1965 could own upto 432 acres of the last class of land. This is considered to be too liberal a scale having regard to the large number of landless persons desiring to take up cultivation.

The existing law defines family as follows:—

> "family" in relation to a person means such person, and if married, the wife or husband, as the case may be, and the dependant chidren and grand children of such person.

It is proposed to adopt a new definition, in which a family would consist of husband, wife and the minor children. This is the natural family. The ceiling for a family consisting of husband, wife and three minor children shall be 10 acres of land with assured irrigation

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capable of raising two crops of paddy in a year or one crop of sugarcane or 15 acres of irrigated land capable of raising only a single crop of paddy if irrigated from the river projects and major tanks ; and 18 acres if irrigated from small tanks. Lands coming under lift irrigation will have a ceiling of 15 acres Rainfed wet lands will have a ceiling of 25 acres. Dry lands will have a ceiling of 36 acres, 45 acres and 54 acres according to the range of rainfall, For larger families with more than 5 members a proportionate increase is made at the rate of two acres of first class of land for every additional member subject to an overall limit of twenty acres of first class of land.

While applying the ceiling and determining the surplus land for a family, the lands held by the individual members will be added together. Where lands are held separately by the husbad and wife of a family, the surplus to be surrendered shall be on *pro-rata* basis from the holding of each member of the family.

Ceiling will not apply to the lands held by Co-operative Farming Societies but the extent held by each person in such society and also in firms, associations and private trusts shall be deemed to be his personal holing for applyihg the ceiling.

Persons having assured income of not less than Rs. 12,000 per annum from non-agricultural source are not permitted to hold agricultural lands. Persons who are not cultivating personally are also not permitted to hold agricultural lands.

The term "to cultivate personally" is re-defined so as to require residence within 16 kilometres from the limits of the village in which the land is situated.

The exemptions from the ceiling at present available to the lands exclusively used for grazing of cattle, forest land, land used for specialised farms, land used for sugarcane farms and land used for efficiently managed farms have been removed and exemptions from ceiling area made available only in the following cases, namely:—

(*a*) lands owned by Government or taken on lease from Government for a period not exceeding twenty years;

(*b*) lands given as a gallantry award :

(*c*) lands used for stud farms approved by Government ;

(*d*) lands belonging to Agricultural Produce Marketing Societies.

Section 8 regarding rent will apply even to exempted lands.

In the case of Sugar Factories hundred acres of land with assured irrigation facilities for purposes of Research and seed farm are permitted to be held.

Orchards will be treated as dry lands and the ceiling of fifty-four acres is made applicable to them. The lands on which coconut trees are grown are treated as dry if they are grown without any irrigation.

For computation of revised ceiling, transfers of lands made from 18th November 1961 will be taken into account.

Rent : Under the existing law, the rent paybale by the tenant to the landlord shall not exceed one-fourth of the gross produce or its value in cash in the case of land possessing facilities for assured irrigation from a tank or a river channnel, and one-fifth of the gross produce or its value in cash in the case of any other land.

This involves determination of average yield of principal crops, market prices of the various commodities and as such, fixation of rent has become cumbersome process involving much time and energy. The method of fixing the rent is proposed to be simplified by fixing the rent at ten times land revenue for dry lands possessing no facilities for irrigation from Government sources. For lands classified as dry but possessing irrigation facilities from Government sources an additional rent ranging from Rs. 22 per acre per annum to Rs. 66 per acre per annum on the basis of irrigation facilities made available from Goverument source of irrigation is made payables

The amount payable to the owner in respect of the non-resumable land vesting in Government under section 44 of the Act and the amount payable in respect of surplus land vesting in Government under section 72 will be a multiple of the net income, which is the same as rent. The multiple will be fifteen for net income upto Rs. 5,000 per annum, twelve for the next slap of net income from Rs. 5,000 to Rs. 10,000 and ten for the slap of net income over Rs. 10,000 per annum paid in instalments through negotiable bonds as at present

The surplus land that would become available for distribution on applying the revised ceiling will be distributed by following the priorities given below, at the same time reserving fifty percent of the

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surplus land for being allotted to the Scheduled Castes and Scheduled Tribes.

(a) displaced tenants who have no land.	Net less than one unit each.
(b) landless agricultural labourers and other landless persons.	Not less than one unit each.
(c) other persons having less than one unit.	Not less than the extent required to make up one unit.

Opportunity has also been taken to—

(i) authorise the Deputy Commissioner of the District to issue notifications of vesting of non-resumable lands in Government as and when such extents are determined by the authorities concerned;

(ii) make the Assistant Commissioner the appropriate authority to investigate and locate lands which are deemed to be non-resumable under section 2 (A), (29) and section 14 (3);

(iii) reduce the price payable by a tenant for site on which a dwelling house is built from twenty times the rent to ten times the rent;

(iv) provide for application of ceiling to holdings becoming irrigable on a future date under Government irrigation projects;

(v) divest Munsiff Courts of Certain non-judicial powers and investing them in Revenue Officers;

(vi) provide for the definition of 'Tahsildar' to include 'Special Tahsildar';

(vii) provide for review of the proceedings of the Tahsildar or the Assistant Commissioner by the Divisional Commissioner ;

(viii) substitute a new Schedule I in place of the existing one ;

And other consequential amendments to quicken the pace of implementation of the Act.

FINANCIAL MEMORANDUM

As a consequence of the reduction of ceiling about 4 lakh acres of and is likely to be available as surplus. The holders of such surplus land will be paid an amount equal to 15 times the rent where the surplus is small. The multiple gets reduced where large extents are involved. These surplus lands will be granted to the displaced tenants having no land, landless agricultural labourers and other persons having less than a basic holding by reserving 50 per cent for Scheduled Castes and Scheduled Tribes and the amount payable to the land owners will be recovered from the grantees in instalments. The scheme of payment and recovery is proposed to be made self financing. Hence, there is no likelihood of any net additional expenditure by Government. On the contrary, as the amount payable to the land owners is on the sliding scale, unlike in the existing provision of the principal Act, the burden of payment of price on the prospective allottees of such surplus land is likely to be lessened to an appreciable degree. The other amendments in this Bill do not involve additional financial burden to the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

1. *Clause 11.*—Section 14A sought to be inserted by this clause empowers the State Government to prescribe by rules the manner in which the Assistant Commissioner shall hold an enquiry and also the particulars of lands deemed to be non-resumable which he should submit to the Deputy Commissioner along with the list of such lands.

2. *Clause 24.*—Sub-section (3) of section 37 sought to be substituted by this clause empowers the State Government to prescribe by rules fee to be paid by tenant for grant of certificate as also the form of certificate.

Clause 41.—(i) Sub-section (1) of section 64 sought to be substituted by this clause empowers the State Government to prescribe by rules the period within which a person acquiring land by inheritance or bequest or by sale or execution of a decree or order of a civil court or of an award or order of any other lawful authority shall furnish the return and the other particulars of such land to the Tahsildar.

(ii) Sub-Section (2) of section 64 empowers the State Government to prescribe by rules the period within which the return shall be furnished to the Tahsildar by a person whose holding exceeds in the aggregate the ceiling area as a result of marriage or adoption after the commencement of the Act as also the other particulars of lands held by such person.

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(iii) Sub-section (3) of section 64A sought to be substitu d by this clause empowers the State Government to prescribe by rules the manner in which the Deputy Commissioner may take possessio i of land deemed to have been transferred to and vested in the State Governm.ent under that secti n.

4. *Clause 44.*—Sub-section (1) of section 66 sought to be inserted by this clause empowers the State Government to prescribe by rules—

(i) the period within which a person who is liable to surrender under section 65 and person whose land is deemed under section 65A to be in excess of the ceiling limit shall furnish declaration to the Tahsildar ;

(ii) the other particulars of holding which such person should furnish to the Tahsildar.

5. *Clause* 55 —Sub-section (2) of section 79A sought to be inserted by this clause, empowers the State Government to prescribe by rules the period within which a person or a family whose assured annual income is more than rupees twelve thousand from sources other than agriculture and who or which holds lands to furnish declaration to the Tahsildar and the lands so held as also the other particulars of such land.

It also empowers the State Government to prescribe by rules the period within which a person or a family holding lands becomes in a day after the coming into force of the amended Act or a person or a family disentitled to hold lands under sub-section (1) of the said section acquires lands by inheritance or bequest on any date after the commencement of the amended Act shall furnish declaration to the Tahsildar.

The delegation of the proposed legislative power is of [illegible]al Character.

N. HUTCHAMASTY GOWDA

TE. HANUMANTHAPPA.

Secretary.